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EVIDENCE EXPLANATORY
OF THE
INDIGO SYSTEM
IN
LOWER BENGAL,

BY THE
REV. J. LONG.

Is there not a Cause?

1 Samuel, xvii., 29.

Open thy mouth, judge righteously, plead for the poor and needy,

Proverbs xxxi 9.

Calcutta:

R. C. LE PAGE AND CO.

— 1861.

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PREFACE.

PROSECUTED, fined, and imprisoned, for publishing, as an exposition of Native feeling on the Indigo question, a translation of the Native drama called *Nil Darpan*, I desire to shew that it was not without cause that I interfered in the controversy. I have been violently assailed, as well as indicted as a criminal, and my answer to assailants and prosecutors is "*Strike, but Hear.*"

I have compiled the following pages to illustrate the Indigo system in Lower Bengal, because I believe that very few persons have access to the voluminous evidence on the subject published by the Government, and contained in the Parliamentary papers, and that many, even of those who have access to that evidence, have not the leisure to read it.

I have selected and extracted such passages as have impressed my own mind as bearing on the points at issue; but as my object is not to make any personal attack, but simply to develop the evil character and tendencies of the system, I have struck out the names of the planters and factories mentioned in the official papers, and have merely indicated by foot-notes, the books from which the documents are quoted.

I. I have commenced with some EXTRACTS FROM THE MINUTE OF THE HON'BLE J. P. GRANT, THE LIEUT. GOVERNOR OF BENGAL, pp. 1—6. I cannot refer to that document, giving a sketch of the history of the Indigo system from 1810, without offering the humble tribute of my gratitude to that distinguished man, for the noble impartiality, courage, and benevolence, which have marked his whole course during the late troubles in Bengal. I am aware that my testimony may be of little value, but others of far higher position than I, have spoken, of whom I will here quote but one—the Hon'ble Mr. Laing in his published minute of the 9th February 1861.

"No one can doubt the radical unsoundness of the system which prevailed in Lower Bengal. No one can fail to give the Lieut-Governor the highest credit for the spirit of true humanity and justice with which he has set his face in spite of much obloquy, against a system so oppressive to the peasantry of a district under his charge."

¶ We hear in these days, of the civilians of India being employed no longer in the administration of Bengal, or probably of any other province of India! I trust that the English statesmen who are expected to succeed them, will at least seek to imitate that justice and that *sympathy with the vast Native population*, which distinguished Mount-Stuart Elphinstone, Thomason and Colvin, and which now so conspicuously mark the Government of Mr. Grant.

II. I have given an Extract from a DISPATCH OF THE COURT OF DIRECTORS IN 1832, pp. 6—10, on Indigo Cultivation in Bengal.

III. I have added evidence in the form of OFFICIAL LETTERS FROM SOME OF THE PRINCIPAL OFFICERS OF GOVERNMENT,—MEN OF JUDGMENT, FAIRNESS, AND EXPERIENCE, pp. 10—23, and I do this

[The italics in the various extracts throughout this pamphlet are mine.]

J. L.

chiefly for two reasons; first, because the Planters frequently quote the evidence of Mr. Gubbins and other officers in the *North Western Provinces* in favor of the Planters *there*, as if it were evidence in favor of the Planters *here*, under an *entirely different system*; and secondly because I think those letters will carry great weight with every impartial reader. One of them is written by Mr. Yule, the present Commissioner of Oude, who is frequently extolled by the planters ~~as though~~ he were a supporter of their system! /

IV. I have also inserted some specimens of PETITIONS PRESENTED TO THE GOVERNMENT BY THE RYOTS, pp. 24—30. It is well that the nature of these complaints should be understood. I admit that some are exaggerated, but if they are to be wholly rejected on that account, it would be necessary also to put out of consideration the numerous statements of the planters that a trade of *two millions* has been ruined, whereas, in reality, not *one-fourth* of it has been affected by the recent controversy. The extent to which exaggerations have been carried by the organs of the planters, is indeed extraordinary. The *Times* went so far as to improve on the story that a trade of two millions had been ruined, by declaring that the ryots had been deprived of advances to the extent of two millions! The fact is that the *cash* expended in advances is comparatively small.

These petitions have their significance, as indications of *the feelings of the people*, and I have added to them some official letters that show that they have *foundations in fact*.

V. I have given the OFFICIAL NARRATIVE OF THE EVENTS OF THE YEAR 1859-60, pp. 30—34, taken from the "Report of the Bengal Administration for 1859-60." From that statement will be gathered the fact, that the proclamation to the Ryots of which the Planters complain, was issued at the request of the *Planters themselves*; and that they owe to Mr. Grant, whom they have so often assailed as bent on their ruin, the proposal to pass a temporary summary penal law to help them through the difficulties of 1860. Unfortunately, instead of using the time given them by that Act, in conciliating the Ryots, the Planters instituted many cases in which they claimed and obtained excessive damages against the Ryots and threw several hundreds of them into a jail. It is truly lamentable to find from the Parliamentary papers,* that many cases were instituted and decreed on forged agreements (see the Return, pp. 11 to 16). No doubt this was the wickedness of the native servants of the factories, but it must be remembered that on these servants the ryot is dependent when once he is made to take advances.

VI. Next, I have given extracts from the EVIDENCE TAKEN BEFORE THE INDIGO COMMISSION, AND FROM THE REPORT OF THE COMMISSIONERS, pp. 34—71. On this Report I could remark that it is common for the Planters to represent it as the report of the majority only,—namely Mr. Seton-Karr, the Rev. J. Sale, and Babu Chunder Mohun Chatterji; and the *Times* newspaper has gone so far as to say that Mr.

* "Return of orders, &c., relative to the disputes between the Indigo Planters and Ryots" printed by the House of Commons on the 30th of May last.

Temple (one of the Commissioners) *protested* against it; whereas in truth, the Report was signed by Mr. Temple, who merely qualified his approbation with the words, "with a reservation as to paragraphs 69 and 70 in which I do not *fully* concur."*

It must be remembered, that Mr. Temple and Mr. Fergusson the (latter represented the planters) in their separate minute, wrote as follows:—

"But we deem it right to declare our apprehension that unless *some important*

* I give the paragraphs here, they are the *only ones* not fully concurred in by Mr. Temple:—

"69. Thus the constant attitude of the ryot, when under the planter as zemindar, is one of dependence; and that of the planter to the ryot ought to be, and sometimes is, one of advice and protection. But, even should such protection never be exchanged for harshness and oppressive conduct, it is quite clear that this mutual relation is hardly compatible with the free and uninfluenced exertions of manufacturer and producer. For according to the decisions of the highest Courts, whenever the law may come in between the parties, the produce of the land belongs to the ryot. That the land is not the planter's, to enter on at his free will, is quite clear from the course he is compelled to pursue whenever he resorts to *uj* cultivation, and when the plant grows up, it belongs to the ryot, who is only bound by civil contract to deliver it at the factory. Here, too, we must discountenance an erroneous notion, which has been held in some quarters, to the effect that the labour of the ryot costs him nothing, on the ground that he, in the performance of his contract, with his own muscles, drives his own plough, behind his own bullocks, over lands of which he is undoubted occupant. The bullocks, the implements, the time and the labor of the ryot represent to him *his capital*; and it is quite certain that in the populous districts of Lower Bengal, such labour has a market value. Besides, a ryot unemployed in working out his contract would be cultivating his own lands, or helping his neighbours under the plan of mutual assistance, well described in answer 458. Still the ryot may be able to cultivate his land with indigo at a cheaper rate than the planter could cultivate his *uj* lands with the same crop, by hired labour. We need hardly use further arguments to set before His Honor one of the first principles of political economy as to what represent capital. Our object is simply to show that, until the plant reaches the vats in the factory, no share in the labour of producing it has been borne by the planter. He has given his advances and his seed. Everything else, the land, labour, and the risk, is the ryot's.

"70. We have deemed it our duty thus to draw attention to the unfortunate position of the ryot as a cultivator of indigo, because it is one of those points that has hitherto been kept out of sight, misrepresented, or misunderstood. The Commission, which has been mentioned at various times for the last twenty-five years as a desideratum, has now been looked for anxiously by the agricultural population: the more intelligent portion are fully aware of its objects; and we feel that it is incumbent on us first to place in the strongest and clearest light, the ryot as he appears to us, deprived of his free will, and bound to continue a cultivation, which does not give him a fair or adequate profit, which in its worst aspect he absolutely dislikes, and in its most favorable aspect he is only induced to tolerate. All the defects of the system, inherent and incidental, all the faults which justly are to be laid at the door of either planter or ryot, by their respective opponents, may be traced originally to one bare fact, the want of adequate remuneration. It is this that mainly renders the possession of landed influence indispensable to extensive cultivation, and it is owing to this that the planter has to urge the ryot to plough and to sow, to weed and to cut, by means little short of actual compulsion; it is this that brings out into strong relief the well-known defects of the national character of the Bengali; that sharpens his cunning, aggravates his indolence, tempts him to procrastination, and fosters his proneness to concealment; it is this, in short, that renders the whole relation between the two parties one prolonged and unhappy struggle in which Anglo-Saxon energy, promptitude, and pertinacity, are often almost baffled by that subterfuge and evasion which are the proverbial resources of the weak.

concessions are at once made by the planters to the ryots in several districts, nothing short of actual force would induce the ryots to sow. In such places, if an attempt were made by the planters to perpetuate by compulsion the present system, the ryots would, in their present temper, *meet force by force, and serious disturbances would result.* Or if in virtue of previous contracts the ryots were even *legally* coerced to sow, still a contest would arise that must seriously damage the interests of the planters. In either case we believe that judicious concession will be the best policy for the planter to adopt towards the ryot." • ʃ

VII. I have further given the REPORT OF THE CALCUTTA MISSIONARY CONFERENCE, and Mr. Schurr's remarkable statement of 1855, pp. 71—77. This will show that the Planters had *warning* in time that their system was oppressive and unsound.

VIII. Quotations in this part of the pamphlet are given from the DISPATCHES OF THE GOVERNOR-GENERAL AND SECRETARY OF STATE, pp. 77—80. These most important documents well deserve most careful perusal and consideration.

In appendix A, passages from Mr. J. W. B. MONEY'S WORK ON JAVA, pp. 81—82, are inserted, to shew how the cultivation of Indigo in Bengal was at first forced on the people. I quote this, not because I think it tells all that might be said on the subject, but because Mr. Money is a member of the Landowners' Association, he speaks in the interests of the Planters, and all his sympathies are with them. His statements have, in fact, the force of an admission, and they go to shew that the foundations of the Indigo system were laid in violence, by men, who, as British subjects, were exempt from the local criminal tribunals.

I hope that the evidence thus collected will satisfy all candid men that the Indigo system in Lower Bengal is one in which the Missionaries of the country might well interfere. The Planters are active and powerful. They have an energetic Association in Calcutta, and the vehement advocacy of two of the Calcutta daily papers, and their influence both in India and at home is great. In all the Indigo districts the Magistrates and Collectors treat them with deference, and often live with them in terms of friendly intimacy. The ryot knows not *his ruler's language*: he has long been accustomed to be treated as a man who must submit to the requirements of the Planter; and he has no political influence to support his petitions. The Missionary sees him reduced from his rightful condition of a peasant proprietor to that of a serf; he finds him ignorant, and *unable to read* those blessed records which impart light to the conscience and to the understanding; and so depressed that he will not listen to the Gospel or so suspicious of the British settler that he can scarcely believe that his religion can be a blessing. Then, I ask, is the Missionary not to plead for him:—not to make his sufferings known:—not try to elevate, enlighten, and protect him?

But what it may be asked are the present aspects of the Indigo question? Is it not now *settled*? I answer that I find by the recently published memorial of the Landowner's Association to the Secretary of State, in answer to the Minute of the Lieut.-Governor of Bengal, that they contend that the cultivation of Indigo is *profitable* to the Ryot! It is true that they make this out, by calculating that the Planter takes *only four* bundles for the rupee, whereas it is proved

beyond all doubt, by the evidence before the Commission, that *six* bundles are generally taken, and in many cases even more, and that the bundles are measured by the factory servants, so that the Ryots can never expect *fair* measure, unless they bribe these venal men. But this calculation of the Planters shows how little they are disposed to relax their system. Indeed it is well known that the Planters in Lower Bengal are not in a position to give up the cultivation of Indigo; and I am convinced that if carried on, it must be at a loss. The question is, shall that loss fall on the Ryot or the Planter? The Ryot has hitherto been made to bear it. The Planter has acquired Zemindary influence to perpetuate this system, and some are now threatening ejectment suits, in order to induce or compel the Ryots to sign contracts to sow Indigo, and these contracts are to be called "Voluntary," and we are to be told that the Ryot has come "begging for advances," and then has attempted fraudulently to avoid sowing, and so we are to hear the Planter beg for Martial law, or summary penal laws! And yet, if any proposition be made to subject the Planter to the jurisdiction of the Magistrates, he denounces it as a "Black Act" and declares, that the Criminal Courts of the country are wholly untrustworthy.

The present state of things cannot *continue*. The Rent Act of 1859, the new Civil Procedure, the increased numbers of Courts, are sure to make the ryot acquainted with *justice*; while the increased value of his land, arising from the demand for oil seeds, fibres, sugar, and other articles which he cultivates with great skill and industry, makes him feel far more independent than formerly, and far less inclined to sow an unprofitable crop. On the other hand, the Planter cannot now, as in former days, when there was but one Magistrate to a district as large as Yorkshire, carry on a system of terrorism with impunity. Yet his necessities as a man deeply involved by mortgages or by debts to his agents, (for such is frequently the position of the Bengal Planter,) or as a man having no other employment for his capital and no knowledge of any other trade, and his irritation at the resistance of the Ryot whom he has been accustomed to deal with as he chose, urge him to press the old system still, (it may be with some modifications,) and to use all his local influence, and all his political influence as a member of a powerful organized association, to overthrow any Government that checks him in his career.

I look forward with *much apprehension to the future*. If the Planters would frankly give up the cultivation of Indigo in Lower Bengal, and devote their energies and experience to the management of the estates of which they have obtained leases, or which they have purchased, I believe that though the profit might not at first be so large as in prosperous Indigo seasons, yet they would be more certain and more permanent; and very soon valuable properties would be formed, where now there is little to sell beyond the supposed good will of a factory, and its book debts; and this employment of European capital in Bengal would be eminently beneficial to the people. The interests of European and native would be alike; and the success

of settlers in thus legitimately expanding the commerce and developing the resources of the country, would speedily tempt other settlers to follow, who are now deterred by the complaints, and the notorious losses of the Planters.

The whole subject is full of matter for reflection, and it has most important bearings on the *peace* of the country, and also on the *spread of the gospel*. Too long has Christianity appeared to the people of many parts of India, in the guise only of the energy of a foreign race, without the *mild attractive influence of its meekness and its love*. We have been *conquerors*; and we are *traders, bent on gain*. The Christian element has been weak, the people though delivered from the oppression of Musulman rulers, have recoiled from our habits, and have dreaded assimilation with us; and thus prejudice has grown and strengthened, while Christian Missions have done very little, and can do very little, to counteract this hostile influence against which the Gospel has to contend. Our great hope must be on a glorious outpouring of Divine Grace, to soften and to open the hearts of men; but this does not absolve any one of us from the present duty of "*breaking every yoke and letting the oppressed go free*." Our Lord's own example teaches us to feel for the sufferings of the poor, and to seek to do them good. I trust that the Missionaries of Bengal will not be censured for what they have been led to do in this blessed work of mercy.

But I have had a personal connection with the controversy to which I must be allowed briefly to call attention. After a service of twenty years as a Missionary of the Church Missionary Society, carried on I have reason to know with the approbation of that Society, I have found myself sentenced to imprisonment on an indictment for "a malicious libel," and I have been bitterly attacked by a portion of the European Press in India. My prosecutors have been the "Landowners' and Commercial Association" and the editor of the *Englishman*; the offence charged against me has been the publication of the translation of a Native Drama called the "*Nil Darpan*" or mirror of Indigo.

In the Appendix B. to this pamphlet, pp. 82—97, I publish an article extracted from the *Calcutta Christian Observer* of August, the organ of the Calcutta Missionary Conference, which narrates many of the circumstances of the case and embodies the Statements of my objects.

The Judge who tried the case used language on the Bench which compels me thus to call attention to my individual case, for if I have been led away in the course of this controversy into libelling my countrywomen as he has represented, I can expect no one to regard me with sympathy.

The passages in the *Nil Darpan* relating to *European ladies* are as follows:

"*Reboti*.—Moreover, the wife of the Indigo planter, in order to make her husband's case strong (*pukka*,) has sent a letter to the Magistrate, since it is said the Magistrate hears her words most attentively.

"*Aduri*.—I saw the lady; she has no shame at all. When the Magistrate of the Zillah (whose name occasions great terror) goes riding about through the village, the lady also rides on horse-back with him. The *bou* (married woman) riding about on a horse! Because the aunt of Kesi once laughed before the elder brother of her husband, all people ridiculed her; while this was the Magistrate of the Zillah.

"*Darogah*.—Did not the Magistrate say he will come here this day?

"*Janadur*.—No, Sir, he has four days more to come. At Sachigunge, on Saturday they have a Champagne-party and ladies' dance. Mrs. Wood can never dance with any other but our Sahib; and I saw that when I was a bearer, Mrs. Wood is very kind; through the influence of one letter, she got me the Janadary of the Jail."

The following is part of the language used by Sir M. Wells with reference to above passage:—

"But I must say when I read this passage, I dropt the book with a feeling of disgust and horror." * * * "the foul and filthy libel it contains against the females of England." * * * "I blush that a clergyman of the Established Church should have so far forgotten himself as to give publicity to this foul libel." * * * "Read this foul calumny, &c." * * * "But this foul calumny does not concern the Planters alone?" * * * "Could the defendant, who is a man of intelligence and education, have believed these filthy insinuations."

The Editor of the *Indian Empire* remarks on this*:

"For ourselves, we have before said, we have read the drama attentively, and the alleged insinuations and filthiness never occurred to us for a moment. We read that a planter's wife liked to dance with the Magistrate of the district, and rode on horse-back with him; we remember nothing more on the subject, and it never occurred to us that this imputed prostitution and adultery to the individual female, much less to the women of England!

"This, with a passage to the effect that the planter's wife had sent a letter to the Magistrate in order to make her husband's case strong, and that she had no shame since she rode through the village on horse-back with the Magistrate (a *Native woman* speaking) is the "gross" and "cowardly," "filthy," "foul" and "unfounded" libel on the mothers and daughters of the middle class of England. But it must not for a moment be supposed to say that this was the language of Sir Barnes Peacock. His Lordship contented himself with the opinion that the Indigo Planters could prosecute as a class, and that the work was libellous. His words were,—“I don't say the Jury were right, or that they were wrong in the conclusion they have come to.” The language we have quoted came from Sir Mordaunt Wells in his charge to the Jury, and it has so strong a bearing on the merit of the verdict, or rather we will say on the question, whether we are safe to rely upon that verdict as a dispassionate, uninfluenced expression of opinion, that we must pause ere we proceed.

"We said last week that a Judge was entitled to express his opinion, whether a given publication was a libel or not: we repeat it, and we submit, as we then did, that he is not entitled to say *more*. We cannot find any authority for the Judge's right to say it *is* a libel, even; between which and giving his *opinion* that it is, there is a wide difference, since even Judges have not always agreed on the point of libel or no libel, and the decision is undeniably with the jury. On this point the Judge is simply a *thirteenth* Jurymen and no more; but the freedom of language which may be permissible in private deliberation can never be *tolerated from the Bench*.

"The *intendo* of the indictment (it follows the conclusion of *Rebott's* speech) is this,—“*meaning that the wives of the said European Indigo planters had an improper influence over the Magistrate of the District in which they resided.*”

"Another: “*meaning the said person represented in the said drama as Mrs. Wood had an improper influence over the said person represented as a Magistrate in the said drama.*”

* *Indian Empire*, July 24, pp. 61.

"The meaning ascribed by Sir Mordaunt Wells needs no further comment : it is before the public, and we shall simply ask whether a Judge has a right to extend an innuendo *beyond the language of the indictment*, and whether if the language were susceptible of any *milder* interpretation, as it clearly is, he was justified in *suggesting and insisting on his own*? It is so monstrous to say that a woman using her influence with a Magistrate is synonymous with prostitution, that we expect to hear entire discredit thrown upon the whole report. We leave this part of our subject with an expression of astonishment that the first motion was not for a new trial."

The Calcutta *Christian Observer*, the organ of the Bengal Missionaries, states* :—

"The Chief Justice, it will be observed, treats this passage as imputing undue influence and nothing more ; but Sir Mordaunt's *imagination coloured* it, till he found himself able to represent to the Jury that the wives of the Planters generally were charged with the worst offences, and on this subject he commented in very violent language.

"We may leave our readers to judge if it be not true that the natives *do* misunderstand the friendly and familiar intimacy which exists between the sexes in Christian Society ; and if it be just to impute an *intention foully to libel our countrywomen*, to every one who republishes a native work in which this misunderstanding appears ? If Sir Mordaunt's rules are to be adopted, *no native works should be published for the information of the European community, till everything characteristic of their native origin is carefully eliminated from their pages.*"

Mr. Seton-Karr, Member of the Legislative Council, one well acquainted with oriental opinion, remarks to the same effect† :—

"As to the alleged imputation on the virtue of Englishwomen in portions of the drama itself. I can conscientiously say that, until the point was strongly insisted on, I did not think there were any passages capable of any such construction, and a close inspection of a work consisting of 102 pages has not discovered to me more than two or at most three passages in which *English ladies* are mentioned at all.

"The first passage occurs in a conversation between two poor Bengali women in a village. One woman says, "*that the lady has no shame at all, and that when the Magistrate of the Zillah rides about through the villages, the lady also rides on horseback with him.*" The speaker then goes on to say "*the bon (or married woman) riding about on a horse !*" The other woman has just before said, that "*the wife of the planter, in order to make her husband's case strong, has sent a letter to the Magistrate, since it is said that the Magistrate hears her words most attentively.*" To say that these words impute want of virtue to a lady, because she writes a letter about a case in Court to a judicial officer, or to go on to argue that it ascribes unchastity to a whole class of Englishwomen, does not seem to me to be fair or reasonable. No doubt, it may be *injudicious* for ladies to write private letters to Magistrates and other judicial officers in order to get situations for servants, or for applicants whom they wish to befriend, and the fact of such an officer receiving and answering in Court a letter from a lady the wife of an actual or possible litigant, on whatever subject it may be, may convey impressions to the very suspicious mind of an *ignorant Native* ; but it never entered into my thoughts to conceive that an allusion to this practice would warrant a general charge of even *indelicacy* in thought or deed, against women. As regards the statement that a *lady riding about the village "must have no shame."* I do most emphatically contend that this expression in the mouth of either a Hindoo or Mussulman woman expresses nothing but the *regular innate idea generated by Oriental seclusion*. The very words, which, in Hindustani, would be *isku kuch sharm neh hai* ; and in Bengali *isku kichhu lajja nahé* ; are *familiar* expressions in the mouths of every Native speaking of any act which he thinks offensive or in bad taste, done by any one who does not please him. A Native woman brought up in *seclusion*, with the ideas she has received from childhood, generally speaking, can no more understand or appre-

* Calcutta *Christian Observer*, August 1861.

† *Englishman* newspaper, July 27.

ciate propriety in the *unrestrained*, liberal, enlightened, and virtuous intercourse of men and women in our society, than *we* can understand or appreciate the social policy which *marries girls in their childhood* and consigns them through married life, or through premature widowhood, to the jealous seclusion of four dull walls. Any Hindoo woman, if she holds to the tenets of her fathers, is *exposed to shame if she sees the face even of her husband's brother, and must then veil her own face*, and it would be asking too much that she should be expected to understand that Englishmen and women should sit, walk, ride, and mingle together in *social intercourse*, without shame or embarrassment.

"The other passage is put into the mouth of a jennadar, once a bearer, who says that he has obtained his situation by the influence of a planter's wife, "*who wrote one letter to the Magistrate,*" and *who never danced with any other person but the Magistrate*, I have already explained this appears to me to be merely an allusion to the very common practice of sending letters of recommendation in favor of old servants to official personages who have places at their disposal. I believe honestly that the practice has long existed and will continue to exist. But where I have heard, as I have heard, of any lady sending letters of this kind, it has never occurred to me to see any evil design therein; and as to the asserted *partiality of an Englishwoman for one particular partner in a dance*, it surely would be a *far-fetched and uncharitable construction* which would attach thereto any hidden or disgraceful meaning.

"These are the only two passages which I think it necessary to notice, as they have been much talked of, and misunderstood; and as they relate to points in which society, if not possessed of accurate information, or if not furnished with the actual word, used in the drama is likely to be sensitive. In a third passage a Magistrate is simply described as *writing a letter to a lady in the presence of her husband*. But I believe that most persons who know India and its people, will read all this as I have done. I still think my reading is the correct one."

I have quoted the words of the Judge. I have shown that they had no warrant in the Indictment; what then?

I was held up to the Jury by the *Judge* (with great effect I fear) as imputing to my countrywomen, that which even *the Indictment* did not charge me with imputing to them!

The meaning of the passages in the *Nil Darpan* evidently is, that the intimacy of the Judicial officers of Government with the other European residents in their districts, (an intimacy which the natives misunderstand, but which is quite common and innocent in all European society,) tends to pervert judgment; and I have no doubt that the *Nil Darpan* in this respect does truly express the feelings of the natives. They do not understand our habits. They think that women should be excluded from society; they think that every judge who is on terms of friendship with a suiter, is liable to be biased by him; and when they see judicial officers, who are to try their cases, live with the Planters, treat them with special respect in Court, and so on, they conclude there is very little hope of redress for the ryot. *The question is not whether this is a groundless prejudice, but whether it is a crime to make known this feeling of the Native mind?* I am counted an offender because I published the *Nil Darpan* as an *expression of Native sentiments*, and sent it to men who were likely to weigh well and consider the testimony of the native press and its influence on the native mind. The narrative and statements in the article from the *Observer* which I have reprinted in the Appendix, B., will I trust be regarded as my vindication.

Here I leave the case, earnestly begging all to whom this pamphlet may come to consider its facts seriously as affecting great num-

bers of people and questions of vast importance. If we would lead the people of India to a purer faith, let us exhibit its hallowing influence in our love of *mercy, justice, and truth!* If the Planters can show that their system has illustrated the Gospel of Christ;—if they can show that it is like other trades, an interchange of *mutual benefits*, carried on *voluntarily* and without restraint, let them do so, and I for one shall rejoice at it. I have no doubt, nor did I ever question, that there are men among them who desire to deal justly, and I am well aware that they have had great difficulties to contend with, and that the lax administration of justice has been a strong temptation to them to take the law into their own hands. But these considerations do not outweigh the startling truths which recent investigations have developed, as to the general character of their system, nor do they excuse them for the violence with which they insisted on upholding it when the people struggled against it last year. Did they not combine, tend, agitate and assail the Government and its officers? They did everything but acknowledge the evils of the system and do justice to the people. I believe that those evils extend more or less to Eastern Bengal and to Behar, but I hope that the Planters there, instead of continuing to countenance the Planters of the disturbed districts, will *avert an outbreak by timely and generous concessions*. If this course be not followed the entire blame of every extension of the present resistance to the European settlers as Indigo Planters, will rest not with Government, not with the Missionaries, but with themselves alone.

J. LONG.

Calcutta, 24th August, 1861.

I.—INDIGO CULTIVATION IN 1810 AND IN 1860.*

REMARKS ON BY THE

LIEUTENANT-GOVERNOR OF BENGAL.

THE Records of Government show that the system of Indigo manufacture in the Province of Bengal Proper has been *unsound* from a *very early* time. Whilst in all other trades all parties concerned have been bound together by the usual commercial ties of mutual interest, in this one trade, in this one Province, the Indigo manufacture has *always* been a remarkable exception to this natural and healthy state of things. It would be doing injustice, both to the present race of Planters and to the Administration of later years, not to admit, at the outset of any discussion of the case between the Indigo Manufacturer and the Producer of the raw plant, who are now at issue, that there has been in later years a gradual, but what is now a marked and great diminution of the gravest and most striking classes of cases of abuse and oppression, as well as of the most serious sorts of alfray, connected with this business. But, substantially, the *system* at the beginning of the present year was *as false as ever it had been*.

In the year 1810, the licenses granted to four Planters to reside in the interior of the country were withdrawn, on account of the *severe ill usage of the Natives* proved against them; and the Governor General in Council,† found it necessary to issue a Circular in that year, of date the 13th of July, from which the following is an extract:—

“The attention of Government has recently been attracted, in a particular manner, to *abuses and oppressions* committed by Europeans, who are *established as Indigo Planters* in different parts of the country. Numerous as those abuses and oppressions have latterly been, the Right Hon’ble the Governor General in Council is still willing to hope that this imputation does not attach to the character of the Indigo Planters generally, considered as a body or class of people. The facts, however, which have recently been *established* against some individuals of that class, before the Magistrates and the Supreme Court of Judicature, are of so *flagrant a nature*, that the Governor General in Council considers it an act of indispensable public duty to adopt such measures as appear to him, under existing circumstances, best calculated to prevent the repetition of offences equally *injurious to the English character and to the peace and happiness of our Native Subjects*.

“The offences to which the following remarks refer, and which have been established beyond all doubt or dispute against individual Indigo Planters, may be reduced to the following heads:

* Minute by the Lieutenant-Governor of Bengal on the Report of the Indigo Commission 1860. Parliamentary Blue Book. 4th March 1861, pp. 70—72.

† Lord Minto.

2 Lieutenant-Governor's Minute on Indigo in 1810 and 1860.

"1st.—Acts of violence, which although they amount not in the legal sense of the word to murder, have occasioned the death of Natives.

"2nd.—The illegal detention of the Natives in confinement, especially in stocks, with a view to the recovery of balances alleged to be due from them, or for other causes.

"3rd.—Assembling, in a tumultuary manner, the people attached to their respective Factories, and others, and engaging in violent affrays with other Indigo Planters.

"4th.—Illicit infliction of punishment, by means of a rattan or otherwise, on the cultivators or other Natives."

The Magistrates were directed, by the same Circular, to cause stocks kept by Planters to be destroyed; to report to Government cases of illegal corporal punishment, not sufficient to warrant a commitment to the Supreme Court; and to impress on all Europeans who wished to continue to reside in the country, the necessity of abstaining from ill-treatment of the people.

In a subsequent Circular, of the 22nd of July 1810, Magistrates were directed to report all proved instances of Planters who were convicted of "obliging the Ryots who reside in the vicinity of their respective Factories to receive advances, and of adopting other illicit and improper means to compel them to cultivate Indigo"; the Governor General in Council observing that he had reason to believe that this was a "*habit*" of the Planters.

I have said that grave crimes connected with Indigo have much decreased in frequency; but it cannot be said that the character of the abuses to which the *system* of Bengal Indigo manufacture is subject is essentially altered now from what it was fifty years ago; seeing that the published *Records of Government* show examples that have occurred within the last eighteen months of each one of the four heads under which the offences connected with Indigo, as prevalent in 1810, are classified in the above cited Resolution. Of the first head, the fatal case of Seetul Turufdar is a very melancholy example.* Of the second head, the case of the men whom Mr. Bainbridge, the Acting Joint Magistrate of Backergunge released from the godowns of a Planter, is but one of many instances.† Of the third head, the fatal attack on the village of Mullickpore, wherein one man was killed and three men were wounded, reported by the Commissioner of Nuddea,‡ (except that the attack was not made upon a rival Factory,) is a strong instance; the more remarkable as occurring long after the rupture between Planter and Ryot had attracted public attention to the Indigo question, and when all Police Authorities were on the alert to repress disorder. Of the fourth head, the case which was made matter of complaint against the Magistrate, for sentencing a Factory servant to imprisonment for one month for dragging a man to the Factory and flogging him severely, because he would not plough for the Planter,§

* The commencement of this is to be found at p. 292, pt. 1. of the Bengal Government Records, xxxiii., and the continuation at pp. 717, part iii., No. xxxiii.

† Bengal Govt. Records, xxxiii., pp. 124, pt. i.

‡ Bengal Govt. Records, xxxiii.,

pp. 915, pt. iii.

§ Bengal Govt. Records, xxxiii., pp. 1059 pt. iii.

will serve as an example. How frequently the peace of the country is still broken by offences connected with Indigo, committed by one party or the other, will be seen from the long list of *fifty-four* such cases that occurred within the last five years in the single District of Nuddea,* and from the latter part of the list of serious cases given in by the Hon'ble Mr. Eden,† both of which will be found in the Appendix of the Indigo Report. The sole cause of all such offences is the system under which the Indigo plant is required by the Manufacturer, without paying nearly the cost of its production to the Ryot. *The evidence taken by the Indigo Commission fully proves that the "habit" denounced on the 22nd of July 1810 was still the habit of 1859.*

At the same time, that is to say in 1811, the same Government of Lord Minto declared that it could not "discern the smallest necessity for converting the remedy already open to the Indigo Manufacturer of a suit in the Civil Court, into a criminal prosecution": and further on, in the same letter, the Government said: "Even at present, complaints are but too frequently preferred against Indigo Manufacturers for the *violence of their conduct towards the Native*. Cases of that nature have regularly received every attention from Government. In some instances criminal prosecutions have been instituted against the offenders; in others, they have been deprived of their licenses for residing in the interior of the country."

It is indeed in itself an all-sufficient exposition of the character of the Bengal Indigo system to state, what is denied by none, that whilst within a few years the prices of all agricultural produce have doubled or nearly doubled, the price paid, or nominally paid, for Indigo plant has not been raised by a single anna; and that *until the Ryots had, as it were, declared open war, it is not shown that a single Planter, for several years past, had ever entertained a thought of any increase of price.*

Whilst the pressure had in this manner become intolerable, the improved administration which, by an increase of Sub-Divisions, gave the Ryots access to Magisterial Courts, showed them that practically the protection of the law was no longer hopeless; and they came to realize the fact that in the matter of contracting to grow Indigo, they were, in truth, free agents. The case of the Jessore Planter, to be found in the printed Indigo Records lately published‡ is instructive enough on this point. The Planter in question had strenuously objected to the Head Quarters of one of the new Sub-Divisions being placed near a Factory of his, where he said he had a ryotty cultivation of 2,000 beegahs, on the ground, amongst others, of the proneness of Natives to litigation, "with the means at their doors." Whilst the question of fixing the Head Quarters remained in abeyance, the Joint Magistrate, on going to pay an accidental and private visit to the Factory, was appealed to on his way by a villager who alleged that certain persons were confined there. On instant search being made

* Appendix No. 11.

† Appendix No. 21.

‡ Bengal Govt. Records, xxxiii, pt. i. page 115.

by the Joint Magistrate, several men (three at least, for so many prosecuted successfully,) were found in confinement in a godown, having been so confined, it would appear, there or in other places about *two months*; and the Planter being prosecuted was fined for the offence, whilst five of his Omlah were sentenced to both fine and imprisonment for it.

The Indigo Commission, as has been said, report that the crisis which occurred in 1860 might have occurred in any other year.* The combined effect of all the foregoing considerations upon my mind is, that no human power exerted in defiance of the law, in support of the system, could have upheld it much longer; and that *if the Government had disregarded justice and policy so far as to make the attempt, it would have been speedily punished by a great agrarian rising, the destructive effects of which upon European and all other capital, no man can calculate.*

On the actual question of fact as to the dislike of Ryots to Indigo cultivation, on the old system, the Report of the Commission is conclusive as to the intensity of the feeling†. Indeed the Report, which in the mildness of its tone is admirable, can give but a faint impression of the *intensity of the feeling on the Ryots' part*, compared to that which a reader will derive from a perusal of the appended Evidence of the Ryots themselves, and of the Missionaries‡, who, living in unconstrained private intercourse with the Ryots around them, know the feelings of the whole class of Ryots better than any other Europeans do.

This is the great point of political bearing in the whole question, and it cannot be too attentively considered by all who have any responsibility for the *tranquillity of the country, and the strength of the British Government within it*. If any one thinks that such a *demonstration of strong feeling, by hundreds of thousands of people*, as we have just witnessed in Bengal, has no meaning of greater importance than an ordinary commercial question concerning a particular blue dye, such a person, in my opinion, is fatally mistaken in the signs of the time.

The Commission report—that there is no *proved* instance of the burning of bazars and houses, though one Planter, whose high character entitles him to great respect, “has known of such acts§;”—that the demolition of houses, either by the direct or indirect order of the Planter, does, the Commission fear, occasionally occur||;—that the practice of imprisoning people in the Factory or its out-offices is of *common* occurrence;—that the seizure of cattle, though the cases are not so numerous, is also spoken of as a common

* Report, para 131.

† Report, para 131.

‡ See especially Answers 138, 918, 1218, 1219, 1262, 1351, 1165, 1624, 1625, 3214.

§ Report, para. 53.

|| Report, para. 29.

occurrence* ; and that the Commissioners are afraid that in some instances date-gardens and plants are up-rooted to make room for Indigo.† Of outrages to women, the Commission most fully and most justly, acquit all Planters. It is much to be regretted that any charge so gross and so unfounded was ever made in any quarter;‡ for it is neither true, nor has it any likelihood of truth in it.§

The Commissioners lay most stress on the proved and undeniable prevalence of seizing cattle, and more especially of *kidnapping*. The last crime they reprobate in strong, but not too strong, language. A country where both these offences are committed habitually, and for the most part with impunity, is a country in which the law affords the weak no protection. The fact is a disgrace to the Administration. It is not simple confinement in one godown that is practised. *Respectable men are seized, and sent about from one Factory to another, to escape discovery ; and, as in Seetul Turusdar's case, they are not always ever heard of again.*

On the whole, my conclusion on this point is, that setting aside individual cases having no connection, or at least no necessary connection with the Indigo system, that system is fairly chargeable with a very notable portion of those classes of offences, the peculiar prevalence of which in Bengal has been from the first a blot in our Administration. In my opinion it is rather the system than the Planters individually who are to be blamed. It is to the unprofitableness of the cultivation of Indigo, at the extremely inadequate price given for it under the system, necessitating either a *forced cultivation*, or the abandonment of the manufacture from Bengal ryottv plant, that this and every other evil connected with Indigo is attributable. An individual Manufacturer could not live upon a fair and free system, surrounded on all sides by competitors who get their raw produce without paying nearly its full value. That a whole class did not spontaneously reform itself from within, is not surprising. The chief fault was in the defective, and I fear I must say, the not impartial *administration of the law*, which allowed such a vicious state of things to exist, where *our fellow-countrymen were converted* ; a state which very certainly would have been *put down with a high hand if only Native gentlemen had been concerned*.

They (*i. e.* the Indigo Commissioners) find that *Magistrates* have not always been sufficiently alive to the position of the Ryots, nor accorded to them a due share of protection and support. They say : "It is not too much to say that had all *Magistrates held the scales in equal balance, a cultivation of the character which we have clearly shown Indigo to be would*

* Report, para. 94.

† Report, para. 95.

‡ It must be stated however that it was no object of the opponents of the Indigo system to lay stress on this point, they regarded it as relating more to the Planter's private character than to Indigo cultivation, and therefore did not *spontaneously* bring forward cases before the Indigo Commission ; I stated in my evidence before the Indigo Commission on this subject "I did not tax my memory with the names of persons or places connected with outrages on women, as we had to enquire about a *system*, and we might have a good man working a bad system, and a bad man working a good system." My own opinion is that the moral character of planters is as good as that of any other class of Europeans. — J. LONG.

§ Report, para. 941.

not have gone on for such a length of time." I am obliged to support the finding of the Commission on this point. The Missionaries have not caused the refusal to sow. The Commission entirely exonerate the Missionaries of the charge of having taken upon themselves the character of *political* agitators; they show that these excellent men, *circumstanced* as they were, would have been inexcusable had they *turned a deaf ear to the well-founded complaints of the people* in close and kindly intercourse with whom they were living, and some of whom belong to their own flocks; and the Commission find that the assertion that the refusal to sow Indigo was owing to the preaching of the Missionaries is one which is "*entirely without foundation of truth.*"*

I must not pass this last point, without respectfully expressing my admiration of the conduct of the Missionary body, throughout these trying events. The Commission conclude their findings by reporting that the discontent of the Ryots was not fostered by the Zemindars; and that there is no foundation in the stories of emissaries from Calcutta going about the country encouraging Ryots to abandon Indigo.† In short, the Report concludes that the system broke down because it was *hateful* to those on whom it pressed.

On the part of the Ryots, the complaints are, that by oppression, and acts of unlawful violence in themselves very harassing, they are compelled to engage to cultivate Indigo, or to cultivate it without engagement, for the Planter, at a nominal price, which even if fully paid would be ruinously unprofitable. The fact of *frequent acts of unlawful violence and oppression is fully proved*; and the motive is manifest; also the extreme inadequacy of the price paid by the Planter, and the unwillingness with which Indigo is cultivated by the Ryot, are fully proved.

J. P. GRANT.

17th December, 1860.

II.—INDIGO CULTIVATION IN BENGAL IN 1831, LET- TER FROM THE COURT OF DIRECTORS IN 1832.‡

Our Governor-General in Council at Fort William in Bengal.

You say it will afford us satisfaction to learn from the reports of the Magistrates and Commissioners, that the local Officers generally entertain a very favorable opinion of the character of the European planters, and that they are represented as kind in their treatment of the natives. Such undoubtedly is the opinion expressed of them by most of the

* Report, para. 120.

† Indigo Report, para. 124.

‡ Report of the Indigo Commission. Appendix 16, pp. xcii.—East India Indigo Commissions; House of Commons Return, March 4, 1861, pp. 326.

Magistrates and Commissioners in the papers you have transmitted to us. Yet although we are not disinclined to give credit to those favorable reports of the planters, it is obvious that such accounts must be received with some allowance for the *delicacy of the enquiry*, and for the disposition which men naturally feel to speak favorably of those with whom they are in *habits of familiarity and of social intercourse*. “The habits of private intercourse” (says the Commissioner for the 5th Division) “existing between the planters and the public Officers, is a point of considerable moment, but it is a delicate matter to interfere with. I have known the *appearance of intimacy deter the natives from bringing forward their complaints*, and I incline to agree with them,” (meaning no doubt the natives with whom he had conversed), “that the idea of throwing aside our habitual private feelings in public business, is, with most of us, more *specious than real*.” This consideration suggests the propriety of separating, as far as may be possible, the *opinions* of the officers from the *facts* to which they refer.

One of the Magistrates speaks of Indigo planters who had been twenty years in a District without a complaint against them; while on the other hand, we hear of planters who cannot hold a factory a few months without numerous complaints being made against them or their servants. There is too much reason to believe, that the *ryots are to a great extent oppressed and defrauded*, if not by Indigo planters themselves, by agents employed by them, acting in their names and for their *advantage*; while breaches of the peace attended with violence (often with wounding and sometimes even with *murder*) are committed; the chief actors in which are hired armed men, *engaged by planters* for the express purpose of enforcing their claims in defiance of the law. *These facts are affirmed even by those who have borne strong testimony to the personal good character of the planters.*

Mr. Turnbull, one of the Judges of the Sudder Dewanny Adawlut, says—“The contract formed with the ryot is sometimes not in writing, is frequently insufficiently defined, and is generally extremely unfavorable to the ryot, rendering him in fact, a *slave to the establishment with which he has once engaged*, and thereby preventing an open and fair competition to all, which would afford the only true and effectual remedy. Too much also, it is said, is entrusted to dewans, naibs, gomashas, and numerous others employed by the planter, who, I fear, looks but little beyond the *quantity of the land procured for him, and does not pay sufficient attention to the means by which it has been obtained*. In such a state of things (says Mr. Turnbull) it cannot be much matter of surprise that the ryot who is acknowledged to be in poverty, and has perhaps been laboring in vain for years to work off his old balances, as it is called, should readily yield to the temptation of an offer of money from a rival factory to pay off his old score, and thereby liberate himself from thralldom, as well as engage on more favorable terms.” The contracts are said to be generally for two and three to eight and ten rupees advanced on each, and some of the factories have thousands of such engagements.

The greatest of evils of which the ryots complain of (says Mr. Walters * "is the almost utter impracticability of being able to free themselves, should they once have the misfortune to receive indigo advances, either by their own free will or compulsion."

It is further said by Mr. Walters, that if a ryot should possess the means of paying off his balances, and desire to emancipate himself from indigo cultivation, there is at present no legal process by which he can compel the planter to settle his account and give him his discharge. "*The planter will not receive the money, and the ryot generally finds himself reluctantly compelled to continue the cultivation.*"

"Other grievances (says Mr. Walters) complained of by the ryots are, their being forced by threats and ill-usage to enter into indigo engagements; their having other or more lands than those contracted for taken from them by the indigo servants, and being thus unable to raise other crops intended for the support of their families; their having entered into engagements, perhaps voluntarily with one factory, and being obliged to execute engagements with another for the same lands, or although they have no concern with any factory, still having their lands forcibly sown without any pretence or colour of right. These (says Mr. Walters) are evils, all of *too common occurrence*, and which it is not in the power of any Magistrate to prevent. They are to be attributed more to the factory servants than to the planters themselves, though the latter do not perhaps trouble themselves much to ascertain *how* things are carried on, so long as a certain quantity of lands is sown, and a certain produce is to be expected."

"As Magistrate of Nuddea (says Mr. Turnbull) I had some opportunity of witnessing the scenes of contention and strife, ensuing from the various and conflicting interests to which that competition gave rise. The disorders which then prevailed in that and the neighbouring indigo districts, have, I believe, *nothing abated to the present day*, and they are certainly such as to call for the *serious interposition of Government*. From the moment of ploughing the land and sowing the seed, to the season of reaping the crop, the *whole district is thrown into a state of ferment*. The most daring breaches of the peace are committed in the face of our Police Officers, and even of the *Magistrate* himself. In utter defiance of all law and authority, *large bodies of armed men* are avowedly entertained for the express purpose of taking or retaining forcible possession of lands or crops. Violent affrays, or rather regular pitched battles ensue, attended with *bloodshed and homicide*. Our Police establishments are *corrupted*, and the darogahs are said notoriously to be in the *pay of the planters*, European or native, to secure their good offices. *Private assassinations* occasionally occur, and *forgery and perjury* have their *full sway*; in short, every species of crime is committed, and in the list I should not omit false charges of murder, arson, &c., which are very common, and are the most harassing of all to the accused, as well as to the Magistrate."

* Commissioner of Revenue and Circuit.

This statement is confirmed by Mr. Walters, who says, "I will not here put on record acts which have come to my knowledge of open, daring, violence directed to the destruction of rival factories, but will ask, where is the instance in this part of the country of the *native zemindar*, who, unaided by European partners or influence, has erected indigo factories, and successfully carried on the speculation without being in the end either entirely ruined or obliged to admit his more powerful neighbour to a share in his concern, or being himself perhaps cast into jail for standing up in defence of his own rights."

The practice of indigo planters maintaining large bodies of armed men, is noticed by other Judges of the Sudder Dewanny Adawlut, as well as by Mr. Turnbull. Mr. Ross says they are kept to enforce the ryot's contracts, and Mr. Sealy speaks of "the number of affrays that now annually take place for indigo lands, which are *invariably* attended with *severe wounding*, and frequently with *loss of life*, in consequence of the *planters entertaining bodies of fighting men* for the express purpose of fighting their battles on those occasions."

Mr. Walters refers to the custom of entertaining at European and native indigo factories, a number of persons of various descriptions, sometimes proclaimed offenders, *escaped convicts*, or *persons discharged from jails*. These people (he says) find a secure asylum in indigo factories, from whence they issue under cover of the night, and are guilty of heinous offences; dacoities, thefts and even *murders* have been brought home to such factory retainers." *The Police Officers*, he says, *are afraid to enter an indigo factory*, the planters in general not being ready to assist the Police, especially when suspicion falls on their own servants. It appears from a statement accompanying Mr. Walter's report that one of the indigo planters in his district has in his service 240 persons under the denomination of *amins* and *khalassis*.

Mr. Prinsep, the Secretary in the General Department, to whom some of the papers connected with this subject were referred, made the following remarks:—"It is where in the eagerness to extend cultivation, the Manufacturer *presses* money upon a half unwilling ryot, or on one of several joint ryots, or on ryots, who have no right to change their cultivation without the zemindar's permission or on ryots not in possession, in all which and in 500 similar cases that might be cited, the manufacturer has not the land measured out to him and specified, but relies on the ryot's word, as to the possession and as to the land's fitness for the plant, confirmed perhaps by a dishonest gomashita; Mr. Prinsep says, the Courts are not strong enough to prevent people from thriving by violence, and the Manufacturers trust at present to their Lattials (bludgeon men) to supply the deficiency of their contracts; Mr. Prinsep adds, "the stronger party benefits always by the looseness of an engagement, and while this is the case, that is, while, through the inefficiency of the existing law to protect the weaker, the manufacturers can bear down the ryots by *hired ruffians*, it may be part of their policy to cry out against the system, as compelling them to resort to such means of righting themselves, but Govern-

ment will not readily be persuaded that they are the oppressed class, who require to have their hands strengthened by further legislative provisions."

Mr. Walters says, that false complaints are made, and witnesses are suborned, but that the *planter's name* does not appear, though the case is brought forward by his servants, and at his expense, he himself, most probably knowing nothing of its truth or falsehood. "Many a planter (says Mr. Walters) has confessed to me that *he has been an accessory to acts, of which he would have felt himself ashamed in his own country; acts which he was driven to permit, or to lose the capital he had embarked.*" He remarks, that the European planters holding lands in the name of their servants, are subject to no tangible responsibility. *They may direct Brigands to be entertained; they may plan and order attacks to be made, but if not personally present as principals, it is difficult to bring them to Justice.* "Instances have occurred," says Mr. Walters "in which the mere warning a European planter against being accessory to the breach of the peace on the information of a Police officer, that armed men on his part were collected, has called forth a threat of prosecution in the Supreme Court, so that Magistrates are really afraid to act against British subjects, except on the strongest grounds."

We desire to be informed whether you have any reason to believe that the *fear of prosecution in the Supreme Court, operates to prevent Magistrates from executing their duties in respect to British subjects.* At this distance we have not the means of forming a correct judgment on such a point; the importance of it, however, is obvious; and if Mr. Walter's imputation is well founded, an effectual remedy for so intolerable an evil should be sought without delay.

III.—EVIDENCE OF MAGISTRATES, AND JUDGES EVIDENCE IN 1855—59 ON INDIGO CULTIVATION.*

From A. SCONCE,† ESQ., Judge of Nuddea, to the Secretary to the Government of Bengal,—(dated Kishnaghur, the 20th April, 1854.)‡

MY DEAR BEADON,

I am more sure that some such statement as that I now enclose should be submitted for the consideration of Government than of the proper manner of doing it. I profess merely to put on paper the *out-spoken complaints which people here make against the system generally*, but not, as they allow, universally practised in the cultivation, of Indigo; and I would beg you to do me the favour of laying the paper before the Governor-General.

* East India Indigo Commission Papers, printed by order of the House of Commons, 4th March 1861. Records of the Bengal Govt xxxiii. pt. 1.

† Subsequently Member for Bengal in the Legislative Council.

‡ Bengal Govt Records, xxxiii. pt. 1. pp. 1.

I write, of course, not knowing whether or no the same matter has not been already pressed upon the attention of Government, perhaps I should say, not knowing but that Government has reason to decline the immediate discussion of it. My own idea, however, is, that it is *no longer enough to measure the advantages of European capital and energy by the value of our exports of Indigo: the effects of the system upon the people should also be considered*; and I should wish to be satisfied that, in connection with the cultivation and manufacture of Indigo, the people labour under none of those evils which, by a kind of social misadventure, formerly prevailed, nay, which men may regret, but are perfectly free to allow, do still prevail in England.

If the suggestion which I make, of a *Commission of Inquiry* should be listened to at all, I should like to add that it seems to me, for the purpose, should be associated with the Revenue Commissioner an English and a Native gentleman *not* in the Public Service.

NOTE.

I feel that I ought not to hesitate to put on record the remarkable statements regarding the Indigo system of this District that have been made to me by *Natives of respectability and intelligence, and in a position to be informed of the facts which they narrate, and which, if misinformed, they themselves assuredly believe*. My connection with Indigo Districts is too recent to permit me to state the circumstances I am about to describe as having fallen within my own knowledge. Indeed I have known for years, through casual communication with the people, that a *Native landholder would shrink from the approach of Indigo cultivation as they do from fire in the dry prairies of America*; and otherwise, the *violent outrages* that from time to time spring from the sowing of Indigo indicate an unwillingness on the part of Ryots to place their lands at the service of the Planter; but excepting these occasional and very general sources of observation, I have personally no knowledge of the complicated relationship subsisting between Indigo Planters as landlords, as cultivators, or as manufacturers, and the Ryots as tenants or labourers, or producers and sellers of produce; and though the recommendation which it is the main purpose of this Paper to submit be manifestly grounded chiefly on my own ignorance of the subject, it is so plain to me, that the *strong sentiments and warm feelings of the people*, or at all events of that portion of the people with whom I have communicated, *are not sufficiently known*, have not been sufficiently investigated and discussed, and at all events to their apprehension have not been sufficiently refuted, that I presume to suggest that the complaints made should be authoritatively sifted.

When seeking information on this subject, one simple question seemed to me to lie at the bottom of the whole matter, namely, the willingness or unwillingness of the Ryots to co-operate in the cultivation of Indigo. Willingness would betoken contentment and profitable industry; unwillingness might express *constraint, bankruptcy, undeliverable bonds*. I have asked therefore simply whether the cultivation of Indigo was acceptable to the people; and the answer given to me,

interrupted more than once by the declaration *that tongue must fail fully to describe the various forms in which misused power was exercised*, was a long narrative of what appeared to be, to the speakers, *remediless injustice*.

I cannot sufficiently guard against the possible inference that I advance any statement of my own knowledge: I write what perfectly credible and perfectly respectable people have told me; and what I am persuaded they themselves believe. No one, I may add, who has had long intercourse with the Natives can have failed to notice the credulity and weakness of judgment which, in some respects, and particularly in whatever relates to their position towards Europeans, imperfect education, narrow experience, and the timidity of their national character, tend to engender; but allowing for this source of error, there is, I think, in their statements a substratum of understood grievances which cannot unlistened to, be cast aside.

The general impression conveyed to me regarding the Indigo system is, that it is *sustained throughout by compulsion*, and by the advantages gained by *arbitrary and unrighteous dealing*.

It is said that the Ryots are *driven by force or fear* to undertake the cultivation of Indigo; that they are not allowed to cultivate other crops till they have sown Indigo, first, it may be, on the Planter's *nijjote* land, next on the Ryot's own lands: that done, the Ryots' labour and cattle being limited, it is too late to go on with other crops.

It is said that Ryots are not at liberty to devote what lands they choose to the cultivation of Indigo, *but* their best land—this field or that, as the Planter may point out.

It is said that, in contracting engagements for land, Planters require large and unusual measure, two-and-a-half beegahs of the common beegah to make one beegah.

It is said to be notorious that a Ryot gains little if at all by the advance of two Rupees a beegah made to him by the Planter; he has to pay it away to the Factory Amlah.

It is said that in delivering his produce the Ryot is compelled to deliver two bundles for one; two bundles are taken from him at the market price of one bundle. This is said to be done by tying the leafy heads of two (or more) bundles together, and making one Factory bundle.

It is said that the work of the Factory is carried on by the inadequately requited services of labourers, boatmen, and hackery drivers; by the *extortionate* cesses which Planters levy from their tenants; by the compulsory loans which Mahajuns are obliged to make for the purpose of liquidating Ryots' balances.

Ryots, it has been said to me, have nothing and can have nothing; they are *working cattle merely*, not men reconciled to labour by their gains.

I find it difficult to obtain anything like an exact conception of the forms in which the force or compulsion alleged to be used towards the Ryots is exerted: it is said that cattle are not allowed to graze; that they are carried off altogether, perhaps plundered, perhaps drowned;

that crops are wantonly destroyed; that *houses are harried and burnt*. Complain,—say they, *how often would you have the poor man and the weak man to complain?* It is better to bear than to complain.

It will be understood that I do not adopt these statements: they are deplorable; but the utmost I am entitled to say is, that it is deplorable, not that they are true, but that they should be believed to be true: and it is to this belief that I think measures of *inquiry* and redress are due.

Should a Commission of Inquiry be instituted, these points would specially be attended to:

(1.) The whole conditions of a Ryot's engagement, as a tenant, to cultivate Indigo; embracing the nature of his rent in money or in crop; the rate of his rent; the rate of advances and extent to which advances are made; the size of the beegah compared with the beegah of Rice land; the period of the engagement, and terms and manner of delivering the Indigo.

(2.) The Indigo being ripe for delivery, does the Planter account for it at the full Bazar price? Under what condition is Indigo seed taken and accounted for?

(3.) Ordinarily, what provision is made for the termination of a Ryot's engagements?—is any period specified? Has the provision of Section V. Regulation V. of 1830 been taken advantage of? In practice by any, is an engagement considered interminable?

(4.) Season failing, on whom does the risk rest? Is the Ryot accountable for advances only; or for the entire money rent of the year; or for the value of an estimated but ungrown crop of Indigo; or for both rent and advances?

(5.) What proportion does the advance bear to the whole rent; or if the rent be estimated in kind, what is the proportion of the advance to the value of the crop? In delivering the produce, at what rate is the portion not advanced upon credited to the Ryot?

(6.) Practically, in this Factory and in that, to what extent are balances scored up against Ryots; ordinarily what adjustments are effected; how long is adjustment deferred?

(7.) Practically, what is the comparative position of Ryots who grow Indigo and of Ryots who grow other crops but not Indigo? Is Indigo more liable to fail than other crops? If so, do the superior returns per beegah from Indigo remunerate the Ryot for his greater losses? Ordinarily are Indigo Ryots above the world?

(8.) At what rate, under what conditions, is the labour of various descriptions required by the Planter remunerated; for tilling the private lands of the Factory; for gathering the crops; for manufacturing the Indigo, and for transporting it? Is a lost crop worked out in labour? If worked out, how is account taken?

(9.) In Farms and Talooks attached to Indigo Factories, what is the condition of the sub-tenants as such?

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These queries may seem mainly to refer to the conditions of the native Ryot; but they necessarily embrace the co-relative rights and interests of the Planter. A Factory worked for twenty years or for half a century must necessarily be invested with some sort of rights; to ascertain, to define, and to preserve these rights could not but be advantageous, and is certainly due to the Indigo Planter: and possibly even a Planter should be expected to admit, that in the system into which he was necessarily adopted, investigation may disclose involuntary defects which he himself would be most unwilling to perpetuate.

A. SCONCE.

Kishnaghur, 20th April, 1854.

From H. STAINFORTH, Esq., Commissioner of the Chittagong Division, to A. W. RUSSEL, Esq., Under-Secretary to the Government of Bengal,—(No. 33, dated the 13th January, 1855.)*

SIR,

The Ryots generally have a hard time of it under the Planters. They know that when a shower falls they must be compelled to assist in cultivation, or the opportunity for sowing will be lost; that when a river rises, they must be compelled to assist in cutting the crop, or it will be destroyed by the water, and they feel that they had much better go on *more majorum* cultivating other crops which Mr. Beaufort admits to be more profitable than Indigo; but some are tempted by advances to execute engagements, while others have engagements written out in their names and *advances forced upon them*, or not given at all. Such contracts are of course readily broken, and no great influence, if any, on the part of the Zemindar seems necessary to induce the Ryots to break them.

This I believe to be the real-state of the case, and it is clear on the premises that the *cultivation of Indigo in Bengal is in a false position*; and that it can only be carried on with any degree of fairness when the interests of Planter and the Ryot are, in some measure, assimilated by their standing, in respect to each other, in the relation of landlord and tenant, in which relation it would be more impolitic on the Planter than it is at present to lessen the income and resources of the Ryots.

I need scarcely add that until I came to the conclusion that the *weak and poor*, who form the great mass of the population, should be *made weaker and poorer for the benefit of a small body of men, many of whom are very unscrupulous and oppressive*, I am not likely to concur in Mr. Beaufort's recommendations.†

* Bengal Govt. Records, xxxiii., pt. i. pp. 35.

† The Legal Remembrancer who recommended a penal contract bill for Indigo.

From W. H. ELLIOTT, Esq., Officiating Commissioner of the Burdwan Division, to the Secretary to the Government of Bengal,—(No. 33, dated the 22nd March, 1855.)*

SIR,

The whole system of cultivating of Indigo in Lower Bengal is so radically bad, that I believe there are few Planters who are not compelled at times to resort to *violent measures*, which their better feelings disapprove, for the preservation of their Factories from ruin. I do not here allude to those acts of gross injustice and open violence which admit of no palliation; but I know from personal experience that Planters, who would scorn *such* acts, do too often consider themselves obliged to take land for Indigo *against the will of the Ryot* who has refused advances, and to *force advances* upon others.

Having served in the largest Indigo District in India, and in others of considerable importance, I have seen no little of the working of the system; and I regret to say that *I never yet heard of one instance in Bengal of a Ryot gaining substance by the cultivation of Indigo*. The Gomasthas and other Omlah, the Takidgirs and other subordinates of Indigo Factories constantly amass wealth, more or less, but the fact of a mere cultivator of Indigo having become wealthy in Bengal has never yet been brought to my notice. Indeed, under the present system, strange as it may appear, *the wealth of the Ryots is inconsistent with the well being of the Factory*, which depends upon keeping a Ryot invariably upon the Debit side of the Account, as the only hold which the Planter has upon the land for the next year.

From W. LUKE, Esq., Civil and Sessions Judge of Midnapore, to the Under-Secretary to the Government of Bengal,—(No. 1, dated the 4th January, 1855.)†

SIR,

None but the needy will voluntarily engage to sow Indigo plant, and in support of this fact I would observe that the first object of a Planter in establishing an Indigo Factory is to secure the proprietary right in the land where his future operations are to be carried on; by this means he obtains power over the Ryots, and his first step in furtherance of his object is to require all those holding lands adapted to the growth of the Indigo plant to set apart a portion for that purpose. This requisition is strictly enforced by the servants of the Factory, who measure off the lands, superintend the sowing, weeding, and subsequent reaping of the crop, and no *solicitations or remonstrances on the part of the Ryot are of any avail*. Can it then be a matter of surprise that the Ryot should be unwilling to resign his independence and means of support by voluntarily making engagements that he knows full well *must terminate to his detriment*? *Certainly not*, and for these reasons I think it would be impolitic to make the Laws in regard to

* Bengal Govt. Records, xxxiii., pp. 40.

† Bengal Govt. Records, xxxiii., pt. 1. pp. 46.

Indigo contracts more stringent in their provisions than they are at present.

From G. U. YULE, ESQ.,* Officiating Judge of Rungpore, to A. W. RUSSELL, ESQ., Under-Secretary to the Government of Bengal, —(No. 4, dated the 28th January, 1855.†)

SIR,

The great crops of Bengal Rice, Sugar, Silk, Fibres, Oil-seeds, &c., are advanced upon to an extent to which Indigo advances can bear no comparison: the advancers would, doubtless, be glad of the aid of a summary Law, but still the Ryots generally fulfil their contracts without being compelled to do so either by bands of armed men or bribed Zemindars. I fully allow that the necessity of keeping up extensive buildings and a large establishment renders a breach of contract by the Ryot more injurious to the Planter than it is to the advancer on produce which requires no manufactory process to ~~fit~~ fit it for the market, but that is no reason for changing the Law in his favour, and if it was, it applies to Silk, Sugar, Lac, and other branches of trade as well as Indigo planting. *But in all these trades there is no general complaint that the Ryots will not fulfil their contracts; why should Indigo planting be an exception?* I believe there is only one answer to that question, because the Ryots, reasonably or unreasonably, are averse to Indigo, believing that there are *many other crops which yield a more certain as well as a better profit.* I cannot account for the *universal dislike* shown to Indigo by the cultivators in any other way. I cannot show in figures that Indigo is less profitable than other crops. The Ryots believe that it is so, and they ought to know best. They take the advances under *pressure* of some kind or other, and having satisfied the present necessity, endeavour to escape from what they know to be a losing contract. The mere fact that an Indigo concern can afford to pay large sums to a Zemindar to induce him to restrain from opposition shows that there is not fair unconstrained dealing between the Planter and the Ryots.

In buying off a Zemindar I consider the Planter simply purchases the power of turning his Ryots, so far as Indigo is concerned, into slaves, who are expected to work not only without any share in the profits of their work, but at a real loss, unless we are to deny to the Ryot the power of judging for himself as to what crop pays him best.

Formerly the unwilling Ryots were *compelled to cultivate by the fear of violence*: then it was found better to pay the Zemindar; now it is thought the *Magistrate* will be cheaper than either; but I trust no Law will ever be passed to increase the profits of Indigo planting by *oppressing still more those who suffer enough already.* I have had many intimate and most esteemed friends among the planters, and have some still, and I like them as a class. I know they do not believe that the Ryot is unfairly treated, and it was with no pleasure that I long ago found myself *forced* to come to that conclusion.

* Now Commissioner of Oude.

† Bengal Govt. Records, xxxiii, pt. 1. pp. 59.

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From C. STEER, ESQ.,* Judge of Backergunge, to the Secretary to the Government of Bengal,—(No. 31, dated the 7th February, 1855.)†

SIR,

None but a Planter would deny that the cultivation of Indigo was not profitable to the Ryot. Is it for Government to encourage such a system? •Make the cultivation profitable, and the Ryots will of their own free will and accord, and without the enactment of special Laws, enter into contracts for the cultivation of Indigo as readily as they will any other sort of produce, and will be as little likely to break their contracts as they are when engaging for the cultivation of any other sort of produce.

Every honest Planter will admit that no Ryot will take an advance unless he is in the last extremity, and that *none ever get out of the Planter's books who are once in them. The reason of this is plain.—Indigo cultivation is ruin to the Ryot.* As well might Government give countenance and support to the usurious Mahajun as to the Planter, as he now deals with his cultivators. *Both Planter and Mahajun act in the same way—both take advantage of the Ryots' necessities, and both derive an usurious profit from their dealings.* Let the Planters allow to the Ryots a fair share of the profits they themselves derive, and there will be no complaints that the Ryots are eternally breaking their contracts.

As the Planters then have it in their own power to remedy the evil they complain of, they should be told to apply that remedy; and *a hateful and an unfair system, such as the system of advances now is,* should never, in my opinion, meet with any support from Government.

It may well be questioned how far Indigo cultivation, carried on as it is now, is really beneficial to the country. A Planter spends a great deal of money; he gives employment to a great number of persons; his residence in the country is, in many ways, beneficial to the neighbourhood in which he dwells—these are all obvious advantages; and it is also very true that in Indigo Districts many a Zemindar gets a good rent for his Estate from the planter, promptly paid, where he formerly found it difficult to collect a small and precarious rent. The profits to the Planter on his Indigo enable him to pay a rent above what he can himself collect. But if, as I have not the slightest doubt, that the Indigo has been obtained on a system ruinous to the Planter's tenants, then however valuable Indigo may be as an article of commerce, it would be better for the *sake of the Ryots if there was not a stick of Indigo in the land.*

As *Planters only*, Planters do not benefit the country. As Planters they certainly introduce a crop which is highly remunerative, *but they take all the profit themselves, and keep the cultivators poorer*

* Now Judge in the Sudder Dewani Adawlut.

† Bengal Govt. Records, xxxiii., pt. 1, pp. 63.

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than they would be if allowed to cultivate the poorest description of produce. Planters who are also Zemindars have two things to look to, their Indigo and their Ryots.

From the HON'BLE A. EDEN, Joint Magistrate of Baraset, to the Commissioner of the Nuddea Division,—(No. 500, dated the 19th June, 1858.)*

SIR,

From information derived from Planters and Ryots of every District, regarding which I have had an opportunity of making inquiries, I am perfectly satisfied that *contracts i. e.*, engagements voluntarily entered into by both parties for the purpose of mutual benefit, are almost entirely unknown. The manner in which the so-called contracts are made is as follows:—

The Blacksmith of each village furnishes the Planter with a list of every plough in the village. The owners of the ploughs are then sent for into the factory, and are informed that they will have to sow a certain amount of land, generally two beegahs for each plough. This estimate being made, each man receives two Rupees per beegah advance, whether willing or not; from this two annas are deducted, or, in some, cases subsequently charged to the Ryot's Indigo accounts for stamps. The Ryot then signs his name on stamped paper generally blank, and this is called a contract. No particular spot of land is mentioned even where the paper is filled up; it is generally considered preferable by "high Planters" that the papers should be kept entirely blank, so that *whenever the Ryot demurs to obey a factory order, he is brought to submission by a threat of filling up his stamped papers is a heavy promissory note.* I have heard this threat made use of more than once myself.

The only men who ever go to the factories willingly for advances are those who go openly with the intention of defrauding either the Planter or the Ryot. These are the middlemen, generally prosperous Ryots who have a number of Jotedars† under them. When in want of money for a law-suit or any other purpose, they go to the Planter, who gives a large advance, but this man never sows a cottah of Indigo himself; he makes all his Jotedars sow five cottahs or a beegah, and thus produces the requisite quantity of plant, sends it all to the factory in his own name, and takes the price himself and never pays a farthing to the Jotedar who has actually grown the plant. The Planter never oppresses these men, as they have too much influence, and they are the only men who really ever make money from the factories, except the Amlah. In nearly every village in the Indigo-growing portion of this District one pucca house may be seen; the history of its owner will be nearly always found to be such as I have related above. There is another class who come for advances. These are men of notoriously

* Bengal Govt. Records, xxxiii., pt. i., pp. 220.

† Peasant proprietors.

bad character, whose sole intention is to get money to defraud the factory. If the Planter chooses to give advances to such men, he must run the risk without expecting aid of the Police. *The Agra Bank or any other commercial house might as reasonably demand the assistance of the Police to recover money advanced without sufficient security.*

If the Planter was to *pay a fair price* for his plant, and one that would remunerate the Ryot, there is no reason why he should be less willing to sow this than any other crop: there is no crop that requires so little care; it requires neither irrigation nor manure.

There are other reasons which render the cultivation of Indigo so unpopular, viz., that the Ryot is constantly sent for to the factory regarding his Indigo; if he does not bribe the Amceens, his Indigo is reported as dirty. Twenty or thirty coolies are then sent to weed it, and the expense is charged to the Ryot's account: this is very unsatisfactory for the Ryots, but satisfactory for the planter. It increases the Ryot's debt, and is another link in his chains. *If Planters want Indigo, they must make up their minds to pay for it.*

The oppression of the factory servants is beyond description. *They are generally selected for their unscrupulous character: very frequently a troublesome educated Ryot opposes the factory merely that he may obtain employment by being bought over with an appointment at the factory. He then turns against the Ryots whom he first instigated to opposition. Many of them are retired or discharged Mooktears* employed for their known powers of chicanery and getting up cases, teaching false witnesses, &c. They are all underpaid, and it is an understood thing that they are to collect what they can from the Ryots.*

Perhaps the principal cause of disputes regarding sowing is the total inaccessibility of the Planter to the Ryot. In the greater number of the Factories of Bengal the Ryots can never go and complain to the Planter of the oppression of his subordinates. Every complaint comes through the Amlah, and the Planter is guided entirely by the Amlahs' report. The Planters are in the habit of expatiating on their superior knowledge of the condition and sentiments of the Bengallees from being so constantly in communication with them, but an enquiry would prove that, so far from this being the case, there is no class in India so inaccessible to their own Ryots as the Planters.

Government cannot be expected to keep up a system of forced cultivation and a forced market, to make the fortunes of a few hundred Europeans at the expense of millions of Natives. The question appears to resolve itself into this: Which is of the most importance, that a certain quantity of a particular blue dye should be annually exported, or that a great and daily increasing cause of discontent and misery to the whole agricultural population of Bengal should be removed? That this discontent is increasing, and is the constant topic of conversation amongst every class of Natives, cannot be denied by those who have an opportunity of judging of the real feelings of the Natives; and I believe that this feeling has been very much enhanced by an idea that

* Attorneys.

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the Government is determined to uphold the Planter against the Ryot; and I think that there is cause to view with considerable alarm the enactment of any measure which will encourage the belief that the Planter will be invested with more summary powers. If there is any difficulty in sowing Indigo in this country in a fair, honest, and legal way, it will be surely better that the cultivation of Indigo should be left for Africa and other countries, where it can be produced *without oppressing the people*.

From E. A. SAMUELLS, ESQ., Commissioner of the Cuttack Division, to the Under-Secretary to the Government of Bengal,—(No. 128, dated the 12th January 1855.)*

SIR,

The Indigo Planter has already an amount of protection afforded him by the Civil Law, in his dealings with the cultivators, which has not been conceded to any other class of manufacturers or agriculturists; and I am strongly impressed with the opinion that it is this system of protection which has encouraged the *lux and reckless contracts*, of the frequent evasion of which the Planters now complain.

Merchants who advance for rice and other agricultural products, take care either to deal with responsible parties, like the Mahajun or the Zemindar, or to take security for the fulfilment of the contract on the part of the Ryot. The Bengal Planters not only neglect these ordinary mercantile precautions, but they are in the constant habit of making advances without security, to the Ryots of Zemindars from whose co-operation they know they have nothing to expect, and of whose enmity they are in many cases aware. Men who act in this way cannot be said to trade; they *gamble*, and but for the Law which makes a distinction between their contracts and those of other traders, they would pay a much more severe penalty for their rashness than they do.

From W. DAMPIER, ESQ., Commissioner of the Patna Division, to W. GREY, ESQ., Secretary to the Government of Bengal,—(No. 1197, dated the 18th January 1855.)†

SIR,

I have always understood that the cultivation of Indigo was not generally remunerative to the Ryots, and might be considered more or less *compulsory*. The advances are sometimes as recklessly given as received, the Planter trusting to his own means of enforcing the cultivation, which he knows the Ryot will, if possible, evade.

I consider Mr. Beaufort's suggestion‡ as bad, it tending to protect and perpetuate a system which is an evil, and to place the Ryot in a

* Bengal Govt. Records, xxxiii., pt. i., pp. 34.

† Bengal Govt. Records, xxxiii. pt. i., pp. 37.

‡ To make the breach of contract for cultivating Indigo a criminal offence.

state of subjection to the Planter in which he ought not to be continued by any legal enactment.

From C. T. DAVIDSON, Esq., Commissioner of the Dacca Division, to the Secretary to the Government of Bengal,—(No. 45, dated the 26th January 1855.)*

SIR,

It cannot be denied that the cultivation of Indigo is a fruitful source of the *serious affrays* which are of *frequent* occurrence in those districts wherein the manufacture of Indigo is carried on.

From H. ATHERTON, Esq., Officiating Judge of Sarun, to A. W. RUSSELL, Esq., Under-Secretary to the Government of Bengal,—(No. 41, dated the 2nd February 1855.)†

SIR,

I deny that Indigo cultivation does the Ryot any good, and I maintain that, until it be proved that Indigo cultivation is specially advantageous to the cultivator, special Laws for the enforcement of contracts for Indigo cultivation cannot justly be enacted. I hold the Indigo cultivation, carried on as it usually is in Bengal, to be a *forced* cultivation, and this I consider to be proved by the admission of every Planter and of every other person I have ever conversed with on the subject; that no Ryot, receiving an advance of say ten rupees, would for his own profit grow Indigo *if allowed to grow any other crop*.

Factories in Bengal have so multiplied that the Planter cannot be satisfied with a *small portion* of the Ryot's land for Indigo, and therefore *affrays* constantly take place in the attempt to compel the Ryot, either to give up his land for Indigo or to sow lands for which he has received advances.

From H. B. LAWFORD, Esq., Officiating Magistrate of Nuddea, to the Under-Secretary to the Government of Bengal,—(No. 31, dated the 12th January 1855.)‡

SIR,

Indigo is not a crop which pays, as any honest Planter will allow, and very often, so far from paying, it is a *dead loss* to the Ryots; this being the case, their *antipathy* to the crop is not to be wondered at; moreover if, in a bad season, the Ryot, who has received advances, cannot produce a sufficient crop of Indigo to cover those advances, the sum in which he is indebted to the Factory is carried on under the head of advances to him, although he may receive nothing at all.

* Bengal Govt. Records, xxxiii. pt. i., pp. 38.

† Bengal Govt. Records, xxxiii. pt. i., pp. 65.

‡ Bengal Govt. Records, xxxiii. pt. i., pp. 74.



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From A. GROTE, Esq., Commissioner of the Nuddea Division, to the Secretary to the Government of Bengal,—(No. 94, dated 19th August 1856.*

The Magistrate of Jessore gives the number of petitions connected with Indigo cultivation in the season of 1856—

1. Complaint of collections of lattials for <i>forcible sowing</i> of Indigo and prevention of sowing sometimes, including charges of <i>plunder</i>	40
2. Sowing Indigo in paddy and other lands belonging to and sown by Ryots.	...	19
3. <i>Burning</i> a house for the purpose of sowing Indigo on its site.	...	1
4. <i>Forcibly</i> taking away Ryots' bullocks to sow Indigo and to compel them to fulfil contracts.	...	9
5. Duress to compel Ryots to fulfil contracts, &c.	...	4
6. Cases of assault and oppression on Ryots to compel them to give Indigo lands or fulfil contracts.	...	5
7. Affrays connected with Indigo.	...	2
8. Trespass in Indigo	...	5
9. Cutting Khals to fill up paddy lands, so as to make them fit for Indigo	...	2
10. Compelling Ryots to sign blank paper	...	2
11. <i>Forcibly</i> taking away Indigo seed	...	2
12. Breaking up Indigo cultivation.	...	2

From the same letter, paragraph 9.

If the Ryot under advance fail to sow when the season comes on, the Planters says Mr. Moloney, sow his lands themselves. Mr. Skinner's report which is forwarded by the Magistrate gives an instance in which Mr. — had during his absence from Magorah, at the April examination, "made a clean sweep of the lands available for Indigo, by making a show of plough, and men which would prevent any one from interfering." *

From J. H. MANGLES, Esq., Officiating Joint Magistrate of Baraset, to the Commissioner of the Nuddea Division,—(No. 376, dated the 30th June 1856.†

SIR,

I am fully impressed with the conviction that the present system of Indigo planting is in *most* cases *forced* and unnatural, and that it cannot act otherwise than *oppressively* towards the cultivators of the soil. It may be, and no doubt is, probable that in the majority of cases the operation of this system is and will be borne with the *apathy*

* Bengal Records, xxxiii. pt. i., pp. 93.

† Bengal Govt. Records, xxxiii. pt. i. pp. 101.

characteristic of the country, but occasions will of course occur when the *resistance of oppression by violence* will give rise to very serious breaches of the peace.

I am fully convinced that here, and especially in the — case, a *forced system alone keeps a plant of Indigo in the country.*

From A. GROVE, ESQ., Commissioner of the Nuddea Division, to the Secretary of the Government of Bengal,—(No. 119 Ct., dated the 12th June 1859.)*

SIR,

I now beg to lay before Government, for perusal, copies of the English decisions of the Officiating Magistrate and Sessions Judge, they will show that Mr. — has been convicted in two cases of the *illegal detention of certain Ryots in a brick godown* of his Factory, and fined Rupees 300 in each case. The Sessions Judge in appeal reduced this fine to Rupees 250 in each case, not with any intention of mitigating the Magistrate's sentence, but in order to bring the total amount of fine within the limit of 500 Rupees imposed by Act LIII. George III.

QUEEN AND BHOLIE SHEIKH *versus* Mr. —†

Charge.—Illegal detention or duress under Act LIII. George III. Cap. 155, Section 105.

It is clearly proved on evidence, which is good, considering the power of the accused and his position, that Bholie Sheikh was seized and taken to *various factories* and there detained *together with others*. It is further indisputable that certain persons were released by the Magistrate, one of those persons having answered to the call raised by person on the outside of a brick godown, within which he and the others released were shut up.

The fact of a detention for about two months is proved by the statement on oath, and there is good ground for supposing that such treatment is *often* applied to Ryots, who desert or default in Indigo matters.

From A. R. YOUNG, ESQ., Secretary to the Government of Bengal, to the Commissioner of the Nuddea Division,—(No. 4144, dated Fort William, the 30th June 1859.)‡

SIR,

His Honor cannot but consider such cases of long continued illegal confinement as those of which Mr. — was found guilty as a great opprobrium. Where the offender is a *British* subject, no doubt the *Criminal Law is very unjust towards the injured Native.*

* Bengal Govt. Records, xxxiii., pt. i., pp. 124.

† Bengal Govt. Records, xxxiii., pt. i., pp. 125.

‡ Bengal Govt. Records, xxxiii., pt. i., pp. 132.

IV.—NATIVE PETITIONS AGAINST THE INDIGO SYSTEM IN 1855.*

Petitions expressing feelings of the Ryots and Letters referring to them.

Translation of a Petition, dated 1st Chytr 1265 B. S.

In consequence of the enmity which Mr. ——— has conceived against us, our lives, *honor and property* have been with great difficulty preserved during the last few months. As an instance of his oppression we may mention that we had sowed our lands with Sugar-cane and Tobacco, and since congratulating ourselves on the fair prospects of our crop, when on the 26th of Fulgoon last, the Dewan of the factory accompanied by 50 or 60 lattials, armed with clubs, spears, and guns, and a Keranee Sahib on horseback, came to our villages, and having forcibly seized us like judgment-debtors vowed vengeance to us and to our families if we did not immediately sow our lands with Indigo; and by forcibly bringing out the ploughs of some of the Ryots from their houses and by maltreating others by *putting the ploughs on their necks*, they got some of the lands cultivated with Indigo. These people now come daily to our villages and with similar parade practise oppressions. The oppressions of the Indigo Planters are beyond description.

We, poor Ryots, find no means for the protection of our honor, lives and property. Police officers are posted for the preservation of the peace; yet even they dare not come forward at the critical time.

Petition of SHREEMUNT HOLDAR, and others, inhabitants of Zillah Nuddea, to the Hon'ble the LIEUTENANT-GOVERNOR of Bengal, —(dated the 12th August 1859.)†

MOST HUMBLY SHEWETH,

That your Honor's petitioners most humbly beg leave to present to your Honor that ——— Gomashta of ——— Indigo Factory, accompanied with thirty or thirty-two lattials, shurkeewallahs, together with hackeries, attacked their houses on 26th April and plundered the ornaments of gold and silver including the plates made of brass and bell-metal and in cash, as also the *pady, mustard seed, linseed, gram, wheat, cows and Calves*, &c., and drove the owners (your petitioners) together with their families.

The servants of the Indigo planter have driven your Honor's petitioners from their houses, and have plundered their States amounting to six or seven thousand rupees, and the suit that was instituted for these is still pending on. It has costed your Honor's petitioners many rupees for the brick-built houses; they have their paternal Jammy lands and trades; they have to get upwards of twenty or twenty-five thousand rupees from their debtors, and how they can leave these estates and retire to a different place?

* Bengal Govt. Records, xxxiii., pt. i., pp. 238 House of Commons Blue Book, 4th March 1861.

† Bengal Govt. Records, xxxiii., pt. i., pp. 283.

From E. H. LUSHINGTON, ESQ., Officiating Secretary to the Government of Bengal, to the Commissioner of the Nuddea Division, —(No. 6124, dated the 23rd October 1859.)*

SIR,

The report shows that Mr. —, in the several cases referred to in petitions Nos. 1 and 2, was charged with having plundered the houses of the petitioners to a considerable amount of property, cut down their trees, deprived them of their lakheraj title-deeds, and caused the lands in the vicinity of their houses to be dug up so as to prevent their obtaining ingress thereto, and that the cases were all dismissed by the Magistrate as not proved, although in three of them, viz., in the plunder of property complained of by —, and in two others, the Deputy Magistrate, —, to whom the cases were made over, recommended that certain of the offenders should be fined and imprisoned and required to make good the value of the plundered property.

The case next adverted to is that of — who (as represented by the petitioner himself) was seized when near Mr. —'s factory collecting some debts which were due to him, and after being dragged to the factory by Mr. —'s men was flogged by Mr. — himself. The petitioner has there described how he was conveyed as a prisoner from factory to factory for a space of one month when he escaped; the cause of all this oppression being that he had formerly been a servant of the factory, and that having been dismissed from employ he refused to take advances from Mr. — for sowing Indigo. The Officiating Commissioner remarks on the delay on the part of Mr. — in the disposal of this case, which was commenced on the 30th May, and was still on his neglect to examine the complainant's person when he first appeared before him to charge Mr. — with the assault and false imprisonment, and on his endeavour to persuade the plaintiff to compromise the case.

I am at the same time desirous to observe that the Lieutenant-Governor has derived an unfavorable impression of the manner in which the people have been protected by the *Magisterial Authorities of Nuddea* from oppression, such as has beyond doubt been exercised in the cases brought to notice.

The Lieutenant-Governor heard in a general way, when on his tour at Nuddea, of complaints from Natives that in *Indigo cases* they did not get *real protection*; and this string of unsatisfactorily investigated and hastily dismissed cases now reported upon makes it impossible for him to feel certainly convinced that everything that can be legitimately done has been usually done in that District to repress abuses of this class.

These cases, which are known to be of *daily occurrence*, in which *Ryots are kidnapped and imprisoned and carried from place to place by Zemindars and Planters with impunity, are a disgraceful blot upon the District administration in Bengal*; and it is the duty of every Magis-

* Bengal Govt. Records, xxxiii., pt. i., pp. 257.

terial Officer to strain every nerve to bring them home to the offenders, when they can obtain a clue to them. Instead of doing all that could be done to ascertain the truth, and acting it must be presumed in the belief that the charge was true, the Deputy Magistrate recommended a compromise; as though the case had been a trifling squabble or a nominal assault, instead of a charge of one of the *grossest acts of oppression and cruelty* that can be imagined, short of injury to life or limb.

From A. GROTE, ESQ., Commissioner of the Nuddea Division, to the
Officiating Secretary to the Government of Bengal,—(No. 161
Ct., dated the 19th November 1859.)*

SIR,

Possibly the people of the ——— Thannah, one of the quarters from which the Lieutenant-Governor was petitioned on his tour, did for a period entertain some doubts whether it was intended that they should have any real protection in Indigo cases; for in 1857 they saw the head of all the concerns in that Thannah empowered as an *Honorary Magistrate*. It was Mr. Cockerell who, I well remember, brought to notice the *undue influence* which Mr. ———'s Assistants exercised in that Thannah consequent on the *latter gentleman's having had charge of its Police*.

From A. R. YOUNG, ESQ., Secretary to the Government of Bengal,
to the Commissioner of the Nuddea Division,—(No. 1446, dated
the 2nd April 1860.†)

SIR,

I am directed to acknowledge the receipt of your letter No. 5, dated the 29th ultimo, enclosing a copy of the late Magistrate of Nuddea, Mr. Drummond's decision in the case of ———, and in reply to inform you that, in the opinion of the Lieutenant-Governor, it is a clearly substantiated case of the class, known to be so common, *of kidnapping and lengthened false imprisonment in different places*.

It is much to be regretted that the principal party, in whose interest the offence was committed, has escaped all punishment. For it is impossible to suppose that the prisoner sentenced committed the outrage on his own account.

*Abstract Translation of a Petition from Gurub Mundle and others, of
——— and other villages in Thannah ———, in Zillah ———
dated 13th Pous 1266.‡*

State that an Indigo Planter of a Factory, having purchased factories situated in the petitioners' villages, is practising great op-

* Bengal Govt. Records, xxxiii., pt. i., pp. 260.

† Bengal Govt. Records, xxxiii., pt. i., pp. 277.

‡ Bengal Govt. Records, xxxiii., pt. i., pp. 299.

pressions on the people; that they obtain no redress from the Magisterial authorities of the zillah, who, being *friends of the Planters*, *dismiss the complaints instituted by the petitioners*; while the Planters, on being informed that the petitioners had complained against them, get angry, take possession of all their property, and compel them to forsake their habitations.

That the Superintendent and Native servants of the above factories are persons of notoriously bad character, and constantly commit murder and plunder. That the Budmashes retained in their employ plunder the property of the Ryots in open day-light.

Petition from the inhabitants of Thannah ——— Zillah ——— to the Hon'ble the LIEUTENANT-GOVERNOR of Bengal,—(dated 20th January 1860.*

RESPECTFULLY SHEWETH,

That those attempts on the part of your petitioners to obtain protection and redress have further incensed the servants of the Indigo Concern above named, who, to revenge themselves and to make your petitioners submit to their demands, have collected armed men and posted them near about the villages in order to intercept and seize and carry away to the factories your petitioners and other similarly obnoxious persons.

Petition from the inhabitants in the Districts of Nuddea and Jessore, to the HON'BLE J. P. GRANT, Lieutenant-Governor of Bengal.†

MOST RESPECTFULLY SHEWETH,

That your petitioners finding the cultivation of Indigo plant very unprofitable, in fact ruinously unprofitable to them, have refused to enter into contracts to cultivate the plant, and therefore the manufacturers have in various ways proceeded to oppress them with a view to force them to enter into such contracts.

That your petitioners having petitioned the Joint Magistrate of Zillah Jessore, the latter functionary told them that they must sow Indigo seed, and in order to coerce them into a compliance with his orders, *ordered forty-nine of their fellow-villagers into confinement for short periods, on the pretence that they had been guilty of contempt of Court.*

That the Joint Magistrate is a frequent visitor at the factories of ——— and issues many of his orders from there.

That Mr. ——— has thus opportunities to operate upon the convictions of the Magistrate in a manner prejudicial to the interests of justice and prejudicial to your petitioners.

* Bengal Govt. Records, *xxiii.*, part i., pp. 300.

† Bengal Govt. Records, *xxiii.*, part i., no. 30.

Petition from ——— of ——— in the District of Moorshedabad, to the HON'BLE the LIKUTENANT GOVERNOR of Bengal,—(dated Berhampore, 24th March 1860.)*

MOST RESPECTFULLY SHEWETH, *

That your Petitioner is the proprietor of a mehal called Turruff ——— which has for few years been let in lease to Mr. ——— owner of the Indigo factory. Being desirous to let the above-mentioned mehal in putnee on advantageous terms, a proclamation was given by your Petitioner, inviting parties willing to take it to offer their terms. Two parties, viz., the proprietor of the aforesaid factory and one Baboo ——— of ——— expressed their desire to take the mehal in putnee, but the jumma offered by the latter being higher than that proposed by the former, a settlement was made with the said Baboo, and a conveyance in his name was drawn out on the 21st Maugh last. On the 23rd idem when the people on the part of the putnee holder went to that mehal to take possession of it, Lateewals, Surkeewallahs, and other armed men of Mr. ——— numbering about 400, headed by the Naib and other people of the factory, walked up to your Petitioner's house and surrounded it at about 9 o'clock A. M. Your Petitioner taking fright closed up all the avenues to his house, hurried upstairs, and there together with his family and children shut up in a room. Then the people outside began to cut open the doors to enter within, and though the people of the neighbourhood and the Policemen of the adjacent Fandee were attracted to the spot by the noise and shouts none had pluck to confront such a large body of armed men and to come to the rescue of the beleaguered party. Not succeeding however so soon to cut open the doors, the people of the factory dashed down a part of the cutcha wall surrounding the house by the force of elephants, and made good their entry into the premises.

Then commenced a scene too revolting to humanity, and one which your Petitioner cannot recall in his mind without a chilly sensation of horror. Zennanah mehal was entered into, women and children dragged forth, their bodies stripped off of all ornaments, their noses and ears torn and lacerated in the operation. All the trunks, chests, recesses of the house were ransacked; the floors of all the rooms excavated in search of hidden treasure, and property consisting of gold, silver (both in specie and bullion) jewels, utensils, wearing apparel, in fine, everything the house contained to the value of (1,00,000) one lac of Rupees was plundered; which, together with your Petitioner and another inmate of the house, by name ——— seized and bound by ropes, were carried to the factory of Mr. ——— There for ten days your Petitioner and the said ——— were confined, by the order of the Sahib, in separate places, under a guard of about 10 Burkundauzes, during the day in the jungle, and in godowns by night; the food that was served to them was doled out so sparingly, and after such long intervals, that the suffering they underwent both mentally and physically exceeds all description.

* Bengal Govt. Records, xxxiii., part i., pp. 520.

N. B.—The Planters have diligently represented this proclamation as containing an intimation that the Ryots were at liberty to break their contracts!—EDITOR.)*

From A. R. YOUNG, ESQ., Secretary to the Government of Bengal, to the Commissioner of Nuddea,—(No. 926, dated the 14th March, 1860.)†

SIR,

I am directed by the Lieutenant-Governor to forward to you herewith a Notification which I am to request you will, as speedily as possible, have very carefully translated into Bengalee, and distributed extensively in those Districts of your Division in which misunderstanding has occurred, or is likely to occur, in connection with the cultivation of Indigo.

Government Proclamation.

NOTIFICATION.

It appears from the reports of Local Officers, as well as from complaints which have been preferred to the Lieutenant-Governor by Indigo Planters, that a misapprehension prevails in the minds of the Ryots of some Districts as to the views of Government in regard to the cultivation of Indigo; and that in some places it has been falsely represented, by designing persons, that the Government is desirous to discourage the cultivation of Indigo; and even that the Police will protect Ryots in the evasion of contracts entered into by them with Indigo Planters. It is surprising that such foolish reports should have obtained credence. Nevertheless it is proper that they should be authoritatively contradicted. Wherefore it is hereby declared that although it is always *optional* with Ryots to take advances and to enter into contracts for Indigo, or not to do so, as they may think best for their own interests, and in this matter they require no assistance beyond that of the Law, which is equally fair to all parties, still if they do enter into such contracts lawfully, and of their own will, they must expect to be required to fulfil them. If they dishonestly refuse to act up to their engagements, they will be liable to the lawful consequences of such misconduct.

EXTRACTS FROM THE LIEUT. GOVERNOR'S MINUTE ON MAKING A PENAL CONTRACT LAW.†

If the Indigo Planting trade were in a wholesome and fair state, and an equal Law were practically applicable to the rich and to the poor in dealings between Planter and Ryot, it is certain that the Ryot would be as much afraid of the manufacturer not buying his plant, as clamorous for a special Law on his side, as the

* Bengal Govt. Records, xxxiii., pt. ii., pp. 354.

† Bengal Govt. Records, xxxiii., pt. ii., pp. 360.

manufacturer is afraid that the Ryot will not cultivate and supply him with enough of the plant, and clamorous for special Law on his side. We see that the present struggle on the part of the Ryots is to avoid the cultivation of Indigo. From this it is certain that *Ryots who cultivate Indigo are forced to do so by illegitimate coercion. The same men who fight for the privilege of cultivating a field with Rice, for sale in the open market, are now almost in rebellion in order to escape the calamity of cultivating a field with Indigo for sale (if sale it can be called) to the Planter.*

There must be a thorough inquiry into the whole system. There would have been such an inquiry long ago, I believe, if people had not been afraid of bringing on such a crisis as has now occurred. The system was such that sooner or later a crisis was certain; it has now come in the natural course of things, and there is no longer an excuse for shirking the disclosure of the disease, and the application of the remedy.

V.—THE LIEUTENANT-GOVERNOR OF BENGAL ON THE CIRCUMSTANCES WHICH LED TO THE APPOINTING AN INDIGO COMMISSION.*

INDIGO DISTURBANCES.

The disputes connected with the Indigo Cultivation in Bengal have long been a subject of *anxiety* to the Government. In the year 1856 reports were called for from the several Divisional Commissioners as to how the Indigo sowing season of that year had passed of in respect of such disputes; but nothing of importance calling for the immediate interference of the Government, or of the legislature, was then brought to notice. It was not till the commencement of 1859, a little before the time when the *present* Lieutenant-Governor succeeded to the Government, that the question began to *press itself unavoidably* upon the Government. In April of that year, a Planter in the

Disinclination of the ryots to cultivate Indigo attributed by the Planters in one instance to the alleged hostility of the local Magistrate to their interests.

to the interests of Indigo

The Magistrate's conduct found, on enquiry, to have been legal and impartial.

District of Baraset complained of a general disinclination among the ryots of his concern to cultivate Indigo. This feeling he attributed not to the unremunerative price paid for the crops, but to the conduct of the District Magistrate, which he averred was openly hostile to Indigo Planting. On enquiry, however, it appeared that the conduct of the Magistrate complained against had been perfectly legal and impartial. In cases of such disagreement, it is manifestly the duty of the Magistrate to leave the parties to make their own bargains as their mutual interest may direct, and this was what the Magistrate appeared to have done. At the desire of the

late Lieutenant-Governor the Magistrate used his good offices to bring the complaining Planter and the Ryots together, but no good seems to have come of the attempt.

About the same time a difference of opinion arose between the same Magistrate (the Honorable Mr. A. Eden) and Mr. A. Grote, the Commissioner of the Division, on the question of the general interference of the Police in cases of disputes arising from Planters sowing or attempting to sow the land of the Ryots with Indigo *against their will, in the plea of a contract*. An application had been made to the Magistrate by certain Ryots for protection against a Planter who they said, was going forcibly to plough up their lands, and to sow them with indigo. The Magistrate had ordered the Police to proceed to the spot, instructing them, if the land appeared to be really the property of the ryots, not to allow any one to interfere with it. Mr. Grote objected to this order, on the ground, chiefly, that it imposed upon the Darogah undue responsibility. This difference of opinion was referred for the decision of Government, as a general question, respecting the employment of the Police. The Lieutenant-Governor gave it as his opinion, that Mr. Eden's principle stated above was a true exposition of the law as it stood, according to which the Police were bound to protect persons and property from unlawful violence, and to abstain from entering into disputes respecting alleged contract, which are only cognizable by the Civil Courts. In the case in question no claim is made to the ownership or possession of the land entered upon, *which are confessedly the ryots*.

In the month of August the Lieutenant-Governor proceeded on a tour by water through a part of the Bengal Districts. In the course of this tour he received petitions from numerous ryots of the Nuddea District, complaining that in Indigo cases they did not obtain *due protection and redress from the Magistrate*; that Ryots obnoxious to the factory were frequently *kidnapped*, and that other acts of *great violence* were committed with *impunity in open day*. These complaints met with the consideration their importance deserved. It appeared, after due enquiry, that, on the whole, the petitioners had not always received that redress from the law, and that practical protection from the police to which they were entitled. Some of the cases, though many months old, had not been disposed of, and one case, in which a Ryot, after having been wounded in an affray in which the factory people were the aggressors, *was carried off from factory to factory, and undoubtedly died in durance from the effect of his wounds, was most weakly and improperly treated at the commencement*. The local authorities were admonished that such remissness on their part could not fail to produce in the minds of the natives a *suspicion of partiality*. They were directed vigorously to prosecute all pending cases, and to bring them to such a termination as might satisfy the ends of justice.

As the year advanced complaints on both sides began to thicken.

Complaints of the Planters against the Ryots.

In November 1859 an influential planter in the Nuddea District represented to Government that a spirit of opposition to the factory was

manifesting itself in the conduct and action of his ryots, and that to encourage this opposition a rumour had been sedulously circulated that the Government was opposed to indigo planting. On the other hand numerous petitions were received from the ryots, complaining of *cruel oppressions* practised upon them by the planters, and of the *compulsory* cultivation of a crop, which they represented, *not only as unprofitable, but as entailing upon them a harassing, vexatious, and distasteful interference.*

On the 10th of February 1860, a representation was submitted by the Commissioner of Nuddea from another planter in the Nuddea District, alleging that mischief had been done in the indigo factories under his management, by the issue, from the Deputy Magistrate's Court at Kalarooah, in the District of Baraset, of a perwannah, on the subject of the interference of the Police in indigo disputes. This perwannah was said to be based on the correspondence of 1859, of which mention has been made before. It appeared on enquiry that although the publication of the perwannah by the Deputy Magistrate was certainly not a discreet measure, there was no proof that it had done any harm anywhere, whilst all circumstances of time and place were against the supposition of its having had any influence in Nuddea, where no one probably ever knew of it.

To petitions from ryots complaining of indigo cultivation, the Lieutenant-Governor's reply was, that ryots who had *contracted* to cultivate indigo *must be expected to be forced to fulfil their obligations*; but no ryot was *forced to contract to cultivate* who did not *choose to do so.*

In March, when the Lieutenant-Governor returned to the Presidency from his tour in Behar, his attention was directed to reports regarding misunderstandings between the planters and ryots, which were represented as *likely to lead to serious consequences.* A very general indisposition on the part of the ryots to cultivate indigo during the ensuing season had been manifested. The same subject was pressed upon the attention of the Lieutenant-Governor by a deputation from the Indigo Planters' Association, who had an interview with him, and who laid before him a petition from their main body.

The Association represented the state of feeling manifested by the ryots, attributing it in part to a mistaken belief as to the views of Government in regard to the cultivation of indigo. To protect their interest, thus endangered, the Association petitioned for two things: first, that the Government would take steps to remove the mistaken impression stated to exist amongst the ryots; secondly, that a special law should be enacted to make the breach of an

Notification issued to correct the erroneous ideas alleged to have been entertained by the ryots as to the wishes and policy of Government.

Impressing upon ryots the necessity of fulfilling existing engagements.

The second prayer involved questions of a very serious nature. On the one hand there was reason for believing that a great commercial calamity was threatened by the feeling which had suddenly manifested itself; on the other, there was the fact that laws and courts already existed to redress any grievances proceeding from breach of contract or other causes. After due consideration, the Lieutenant-Governor came to the conclusion that a special law of limited application as to time was called for. The danger was a great, a sudden, and a pressing one. An exceptional evil required an exceptional remedy. The regular procedure was inadequate to the occasion and to the dangers springing from a combination among a mass of ryots. In the interest of both parties it was desirable to ensure time for calm consideration and mutual concessions, to enforce, by summary process, for the approaching season, the fulfilment of lawful contracts duly entered into, on which actual cash advances had been received, and hereby to save from sudden ruin a great commercial interest. Acting upon these considerations, the Lieutenant-Governor recommended to the Legislature the passing of a law of the nature above referred to, which should extend to the current season only and which should be accompanied by a promise of full and thorough enquiry into past practice, and thereafter of a well considered law, which shall afford practically, equal, and complete protection to the ryot, as well as to the planter.

Special law enacted for the current season only, to make the breach of an agreement to cultivate indigo punishable summarily by a Magistrate.

Accordingly Act XI. of 1860 of the present year was passed.

In the meantime the excitement against the cultivation of indigo had become so strong as to lead to acts of violence in some of the Indigo Districts. The first disturbances occurred in the Aurungabad Sub-Division, where the Ancoorah factory, belonging to Mr. D. Andrews, and the factory at Baunyagaon, belonging to Mr. Lyon, were attacked by a mob of latials and ryots. In the District of Maldah the Buckrabad factory, also belonging to Mr. Andrews, was similarly attacked and plundered. It appeared upon enquiry that the ryots in this part of the country had been goaded into rising by the long continued oppressions and extortions of the factory servants.

The ryots in one part of the country goaded into rising by the long continued oppressions and extortions of the factory servants.

whose oppressive acts lay at the root of this evil.

In the Districts of Nuddea and Jessore, although the excitement was as strong as anywhere else, no disturbances of a serious nature occurred. In the District of Pubna, a Deputy Magistrate, with a small party of the military police was (partly in consequence of his own injudicious conduct) repulsed by a body of armed lattials, who had assembled to resist the cultivation of indigo. On receipt of intelligence of the first of these occurrences the Government at once acted with promptness and vigor. Troops were rapidly collected in the Districts where the excitement prevailed, and by a judicious display of force in suitable places the ryots were overawed, and all tendency to any violent out-break was suppressed. The best available Magistrates were placed over the Indigo Districts, and the staff of magisterial Officers in those Districts was considerably strengthened. On the passing of the new Indigo Act the Lieutenant-Governor issued certain instructions to the Local Magistrates, enjoining them carefully and patiently to sift the evidence and to decide in the truest spirit of equity all cases instituted under it. Subsequent results have proved that these cautions were needed. Legal opinion on several doubtful points connected with the practical operation of the law was obtained, and circulated for the information and guidance of all Officers engaged in carrying it out. The number of suits under the Act in the Nuddea District increased so largely towards the end of May, as to threaten to stop all the regular magisterial and revenue work of the District. Upon an application from the Commissioner, two Principal Sudder Ameen, with magisterial powers, were therefore specially deputed to Nuddea for the trial of the breach of contract cases, the magisterial officers reverting to their own proper work, including the trial of cases under the penal clauses of the Act.

W. S. Seton-Karr, Esq., C. S., *President*.
R. Temple, Esq., C. S., *Member*.
Rev. J. Sale to represent the interests of the ryots in the Committee.

W. F. Fergusson, Esq., nominated by the Indigo Planters' Association to represent the interest of the body and

Baboo Chunder Mohun Chatterjee nominated by the British Indian Association to represent the landholders' interest.

Meanwhile all parties being eager for the proposed Commission of Enquiry, the gentlemen named in the margin were appointed to form the Commission.

VI.—EXTRACTS FROM THE REPORT OF THE INDIGO COMMISSIONERS IN 1860.*

61. The fact remains of the greater number of ryots being in balance and sometimes in heavy balances in all the large concerns of

* Indigo Commission Report, pp. 1. East Indigo Commission, House of Commons' Returns, 4th March, 1861.

which we are qualified to speak, and of their having been so for years; in other words, the fact of their having repeatedly grown plant *without profit*, under a supervision which planters themselves avow to be requisite, and which the ryots declare to be *vexatious* stands out as a broad and decisive one, from which it is possible to draw but one inference.

63. Some ryots may have been pacified, contented, and even willing to sow, and several ryots even in the past years have cleared their advances; but when we consider the small number of those who have done this, and the large number of those who have *not*, within the limit of one of the largest and best managed concerns, the Bengal Indigo Company, the huge amount of bad balances of a long series of years, pronounced irrecoverable, as well as the frank admission of planters, that most of their ryots are on the wrong side of the books; we can have no doubt that the question of *direct profit* to the ryots as a body, is no longer matter for serious discussion.

64. As far as our inquiries have enabled us to discover positive facts, we have heard of but two *dispensaries*, that at Mulnath, and that at Salgurmudia, and a *few vernacular* schools; and we can of course readily understand that every European, remote from medical aid in the interior, keeps by him a supply of medicines, not only for himself or family, but for the use of such of the neighbouring population as may apply to him in cases of sickness.

88. Then as to the *burning of bazaars* and houses, we have a clear admission from a gentleman whose character entitles him to great respect (A. 670) that he "has known of such acts," but no well proved instance of this sort has been brought to our notice in any oral evidence. In one or two instances mentioned to us, when a fire took place, it was a matter of doubt whether its origin was not accidental, and we cannot therefore but acquit the planters, *as a body*, of any practice of the sort, though we do not mean to say that *cases of arson do not occur in lower Bengal, in consequence of Indigo disputes*.

90. The *demolition of houses*, either with the direct or indirect order of the planter, does occasionally, we fear, occur; and it is quite certain that four respectable *gautidars** of the village of ——— had complained, three of the destruction of their property, and all four of their valuable *gauti* tenures having been taken from them; nor did the manager deny that those tenures were no longer enjoyed by their rightful owners.

94. Of serious charges, those of *kidnapping men*, carrying off cattle and rooting up gardens and other offences; these practices being said to be *habitual* whenever ryots disobey orders issued from the factory. Here, we regret to say, the cases brought to our notice are so numerous and so well authenticated as to make us apprehend that the practice of imprisoning individuals in the factory or its out-houses is of common occurrence. As regards the seizure of cattle, the cases are not so numerous, but Mr. ——— speaks of it as a "*general custom*," and he was, no doubt, speaking from facts within his own knowledge.

* Peasant Proprietors.

95. As regards gardens, ryots have made numerous complaints as to date gardens and plants being uprooted to make room for Indigo, and we are afraid that, in some instances, such injuries have been inflicted.

96. Discarding all cases resting on vague hearsay, questionable authority, or mere general rumour, we think that the following array of facts which are put in evidence either by the sufferers themselves or by gentlemen of undoubted credibility, as facts brought to their own personal knowledge, prove the undeniable prevalence of seizing cattle and more especially of *kidnapping*. We would refer, then, to the three distinct cases of abducting cattle mentioned by Mr. Schurr in answer 779, all three within his own cognizance, and to happening under his very eyes; to the case mentioned by Mr. Eden in answer 3576, in which he states that he caused the release of 200 or 300 head of cattle; to the first case mentioned by Mr. Lincke in answer 891, and to the case of abduction of two men for more than two months mentioned in the same answer, referred to by Mr. Bomwetsch in answer 955, and explained further before us by one of the sufferers with the marks of violence still visible on his head and person; to the cases mentioned by Mr. Bomwetsch in answer 958 and answer 962, as within his own knowledge, and told him by the very sufferers themselves; to the case of oppression mentioned by the same gentleman in answers 985 to 987, when a garden of plantains and vegetables was cut down close to the witness's house in order to make way for indigo; to the narrative of _____ in page 96 showing that he and his father were wounded and taken away by force, the latter simply for having done his duty, and that, after confinement for some months, they complained to the Magistrate on their release, but were *persuaded* to let the matter drop; to the narrative of _____ showing that only last year he was confined in a godown for eight days, because he would not act as the people of the factory would have had him act; to that of _____ a highly respectable and substantial *gantidar*, showing that he was confined for three days in a godown but got away by giving some money to his keeper; to the statements of _____, _____, and _____; to the case mentioned by Mr. Herschel in which he released two men who had been taken out of his own Sub-Division in Moorshedabad to the district of Malda; to the cases reported by Mr. Eden, one of which is mentioned by _____, first class Darogah, namely those in which Mr. _____ and Mr. _____ were severally fined for kidnapping, which cases have been fully laid before the public within the last three years; to the two of which the narrative is given by Mr. Latour in his evidence, viz. of Mr. Forde and Mr. _____ and the judicial sentences therein passed on the planters are filed and printed in the Appendix; to the case of _____ mentioned in page 295 of the Blue Book, Part I, and finally reported on by the Commissioner of Nuddea in his letter of the 5th July 1860; to that discovered by the activity of Mr. A. J. Bainbridge and judicially recorded in pages 124 and following of Part I of the same Selections from the Records of

the Government of Bengal; and to the *recent* kidnapping of a boy named ———, reported in the letter of the Commissioner of the 3rd of July last, wherein it is shown that this offence had been compromised by the Deputy Magistrate in opposition to the orders of the Magistrate of ———.

97. Of all cases in this country, those of *kidnapping* are the most difficult of discovery and proof, and those in which conviction rarely follows. But in some of the above instances the ends of justice have been actually attained. In one, there was a positive failure of justice, even when the facts were shown and the means for redress were available. We allude to the case of ———, and though it is some satisfaction to us to find that the Head of the concern was absent in England during the time of the man's confinement, and is therefore blameless in the matter, yet looking at the whole facts, we must record our opinion that one such case of violent and unlawful confinement spreads alarm throughout the whole neighbourhood, reflects discredit, by its results, on the administration of justice, and lowers the estimation in which, for legality and fair dealing the European character ought to be held.

98. That a man of the respectability of ——— one of those small proprietors to whom, as a body, so much of the improvement in the actual prosperity of the country is owing, should be subjected to the mere indignity of confinement for three days, is also a fact which speaks for itself.

99. Nor did this man tell his story with any exaggeration or emphasis. Being of good family, and having an hereditary and inalienable lease, liable to no enhancement, he *merely objected to have his rent raised, and confinement was the natural consequence of his refusal.*

100. Indeed, this practice of confining recusant or obstructive parties in the interior of the country, is so *common* as to be spoken of without the least reserve. A most respectable witness in answer to a question put as to what would be done, supposing a silk contractor were to refuse to take advances, replies "we should have demanded instant payment of his balances, or we should doubtless have *confined the man in one of the godowns* if there was no possibility of getting speedy justice."

104. For this practice of carrying off individuals, and taking them, sometimes in a wounded condition, from place to place, in order to elude research and detection, we can make no extenuation.

105. On the contrary, we deem it our duty to mark it with our deliberate reprobation as *alien to the British character*; and while we earnestly call on all unofficial Englishmen henceforth to discountenance it by precept, authority, and by the dismissal from their service of any of their subordinates, European or native, who resort to the same, we also think that no means ought to be left untried on the part of the authorities to check and eradicate a practice which must, more than any other species of illegality, tend to make the ryot *chary of complaining, hopeless of redress*, and inclined to cherish the belief that *Europeans are placed above the law.*

117. The style of order which is held to be unfavorable to the planters, and which they object to as showing a regard for the *protection of the ryot*, and excluding any consideration of the contract he may have entered into, is best illustrated by the following proceeding of the Hon'ble Ashley Eden, the Magistrate of Baraset. The orders we allude to are the following: "Since the ryots can sow on their lands whatever crop they like, no one can without their consent and by violence sow any other crop; ordered therefore, that the original petition be sent to the Deputy Magistrate of — in order that he may send policemen to the ryot's land to prevent any disturbances that are likely to ensue from any compulsory cultivation of their lands, and instruct them that, if the land is really that of the ryots, not to allow any one to interfere with it. *If the ryots wish to sow indigo or anything else, the policemen will see that there is no disturbance.*"

119. So far from the charge of discountenancing and disliking the planters being true, we believe the facts to be that *Magistrates* have not been sufficiently alive to the position of the ryots, and have not accorded to them a due share of protection and support. It is not too much to say, that had all *Magistrates held the scales in even balance*, a cultivation of the character which we have clearly shown indigo to be would *not* have gone on for such a *length of time*. The real truth we take to be that, if anything, the bias of the English Magistrate has been unconsciously towards his countrymen, whom he has *asked to his own table, or met in the hunting field, or whose houses he has personally visited*. In any case, the supporters of a system which, with such defects, has been allowed to go on so long under the eyes of the authorities, have hardly a right to complain of unfair treatment.

123. From the foregoing remarks, as well as from our study of the relations between ryot and planter, we have come to the deliberate conclusion that the late extensive refusal to sow, manifested by ryots in Nuddea and in other districts, might have been manifested at any time, on any opportunity. There was every element ripe and ready for such an outburst of popular feeling. The cultivation was virtually *compulsory*, in that no ryot could get free. The ryots, denied the opportunity of benefitting to the fullest extent by the generally increasing prosperity, suddenly discover that ideas spread abroad, that Government had a direct interest in the manufacture of Indigo, are unfounded; that it is quite optional with any man to take advances or to refuse them; that they are free agents; that no more force is to be used; and that in these respects the Government had decided to give them fair support. We must not be surprised if they proceed at once to act upon this discovery; nor is there anything to be wondered at if in their anxiety to complete their social freedom, they should sometimes have extracted that part of the orders and notifications which best suited their purpose, or sometimes wilfully misapprehended and misinterpreted their intent altogether, or even if they have exhibited a spirit of resistance, a determination, and a power to act together, in contrast to their previous condition of apathy and inability to help themselves.

130. In our opinion it is extremely unreasonable to attribute the sudden failure of an unsound system, which had grown up silently for years, to the officials or Missionaries who told the people that they were free agents. If it could be said with truth that greased cartridges were only the proximate cause of a rebellion which had been silently gathering for years, it may be said with even more truth that written or spoken words widely circulated, and only pointing out to the ryot what was perfectly correct in all essentials, namely, that it was *optional* with them to take advances or to refuse them, to sow indigo or not to sow it, were only the *proximate* cause of the extensive refusal to cultivate during this season.

176. It is not proved to us, that in other and similar transactions the native of Bengal is more than usually dishonest. Large advances are made for silk, hides, and jute; much money, or the equivalent of money, is advanced in the way of loans on the security of the crop; for this we hold to be the real nature of the transactions between mahajun and ryot; and we are not aware of dealers complaining generally of the dishonesty of the contracting parties, or claiming that some special law should be enacted in their favour. On the contrary, several witnesses, Mr. Morrell, Mr. S. Hill, Mr. Eden, Baboo Joykissen Mookerjee, and Mr. A. Forbes, have mentioned facts or given evidence which prove fair dealing on the part of ryots and other classes of natives in matters profitable to them. One inference which we draw from this is, that the sale of hides and the raising of jute, and ordinary rice crops, are profitable to the parties who supply these articles; and as to the ordinary mahajani dealings, it suits the ryots to borrow money or grain to eat at a season of the year when the market is tight, and to repay the loan after the gathering in of the harvest.

W. S. KARR, C. S. R. TEMPLE, C. S.

Calcutta, 27th Aug. 1860. REV. J. SALE, C. M. CHATTERJEE.

Reverend J. H. Anderson, Baptist Missionary, of Churamankatty, Jessore, called in, and examined on oath, 29th May, 1860.*

Witness deposed as follows:—

In the Nuddea districts, the ryots *everywhere* complain of the *unjust and cruel* treatment to which they are subjected. At one village I have observed the *ruins* of two or three houses which have been abandoned by the ryots to escape from the oppression which they had suffered. In another village I met with a number of people who complained that they were seized and sent about from factory to factory, in order to beat the plant in the vats, and that they received *nothing for their labour*. At another place I was told by the ryots that they were forced to beat the indigo for two or three months, and were sent away with a remuneration of two rupees each. I remember that in two villages, it was said, "*Save us from the oppression of the planters and then we may become Christians.*" On one occasion I was on a visit to a gentleman, residing on the banks of the — and while there, a ryot of the village of — came and entreated the gentleman to do what he could to render him help. He asserted that his house had been plundered, and that he and his brother were driven away from their homestead by the planter's people. He happened to mention, that a Christian named — who had become a con-

* Indigo Commission Report, pp. 77. East India Indigo Commission, House of Commons' Return, 4th March, 1861, pp. 45.

vert to Christianity, under the religious teaching of Mr. ——— and who had been baptized by Mr. ——— the Chaplain of Jessore: that this man and his family of seven children had been forced to leave their abode, which on being deserted, was broken down by the agents of the planter, as Mr. ——— had left the Jessore district a short time before. I proceeded to the spot in company with ——— and found that the statement made to me was correct. The said ——— was a respectable *gautidar**; some eighty families of ryots belonged to the *gauti*. He had lived in a *pucka* house surrounded by high *pucka* walls within which two or three *kutchu* houses were situated; outside this wall two *golas* or barns and a stable had stood: the whole place was a perfect ruin. I spoke to one or two individuals in the locality, but scarcely any one ventured to reply to me. A remark of one man who spoke to me while I was standing on the ruin implied, that the planter's agents had destroyed the property. About the same time, a case of the ——— came under my notice; their evidence has recently been taken by this Commission. I have not been on the spot, but the circumstances that I have witnessed in another village together with the fact that the injustice committed to the ——— *gautidars* notorious for many miles round, convince me of the truth of the case. In connection with the ——— concern, in addition to cases of oppression, which I know of by hearsay, I desire to mention a case of injustice practised upon a family of Christians residing on the property attached to the ——— concern; it occurred several years ago; the facts are briefly these:—About 150 head of cattle were carried off. A *gola* was plundered and some rice then standing on the field was cut down and taken off. In addition to the aforementioned causes the unpopularity of indigo cultivation is attributable to many other causes. On some indigo estates a large number of ryots have been working for a series of years on a single advance. In regard to this subject, I have made particular enquiries and have been generally assured that this statement is correct, so that in fact the *labor of the poorer peasantry is scarcely at all remunerative*.

In the case of the *gautidar* or small proprietor, ——— to whom I have referred, I am told that complaints were made on two occasions. In one case, the matter was referred to the Mofussil Manager of ——— he being then an *Honorary Magistrate*; but the complaining parties thought it fruitless to pursue the complaint, as they considered the gentleman implicated in the case through his own servants.

I have no reason to think the planter is unlawfully dealt with by the Magisterial authorities, nor by the Police, but I do not think that the *wrongs of the ryot are properly recorded by either*.

I have heard of milch cows and goats being *forcibly* taken to indigo factories; of cows being kept as long as they give milk, and then restored to their owners.

Reverend *Charles Henry Blumhardt*, Missionary of the Church Missionary Society, called in, and examined on oath, 7th June, 1860.†

Can you state from about what date the ryots have evinced an increased dislike to indigo, and under what form or shape this dislike was first manifested?

I beg to state that the dislike to Indigo planting has been evinced nearly from the time when I first came to the district in 1839; of this I can give several proofs. I remember that from the first time of my arrival at Kishnagur, when going round into the villages constant complaints were made to me against Indigo cultivation. At that time I did not take so much notice of it, because I thought it was simply a propensity of the natives to complain; however, sometimes more serious complaints were made to me of oppression and of the impossibility of proceeding with Indigo cultivation, because it did not pay them. Very often the factory servants complained to me that for many months they had not received a farthing of pay; as an instance of this I will just mention what occurred about seventeen or eighteen years ago in the factory. After Mr. ———'s death, who was the former proprietor of that factory, a relation of his, a Mr. ——— succeeded him. It happened one day that the planter

* A peasant proprietor.

† Bengal Indigo Commission Report, pp. 116. East India Indigo Commission, House of Commons' Returns, 4th March, 1861, pp. 42.

was locked up in his own house, and by his own factory servants; they watched the house from outside, armed, and ready to kill him, and threatening to do so if he did not pay their wages in a day or two. The factory servants were numerous; Mr. ——— was kept as a prisoner in his house for two days. On one of these days, however, he managed to thrust a note through the door for one of his servants to take to the Magistrate of Kishnaghur, asking him for immediate aid. The Magistrate sent a large number of burkundazes for his relief, and they happened to arrive there at a happy moment when most of the factory servants had gone to eat their food. On the arrival of the burkundazes, Mr. ——— was delivered, and the servants ran away. Mr. ——— told me this himself at my own table a day or two after his release, and added as the cause of this that the men had *not been paid for two years*; this delay of the payment may have been caused by a confusion in the accounts at the time of Mr. ———'s death.

What form did the complaints you allude to, take some years ago, and what form have they taken lately?

The form of complaints then were much the same as now; the ryots complained that their carts and bullocks were taken away, and little or no remuneration given for them. They also said, that the Indigo crops did not pay them, and further that *the debts of their parents were handed down from father to son for generations*. I remember one of the bearers of the Chapel of Bahirgatchi, a head man of the village sowed some Indigo. This man often complained to me, but I did not much listen to his complaints; he died about nine years ago, and his Indigo liabilities have been transferred to his children; they have been sowing up to the last year. I may mention also of another instance in a village called Pipligatchi, when the bearer of the Chapel, the head man of the village, continually complained to me that he could not remain any longer in the village.

The planters have unfortunately not gone along with the times in raising the wages of labour and the price of the Indigo plant, and therefore the *cup of the patience of the ryots is at last full and now runs over*. I believe also, that *the insurrection in the Sonthal districts has greatly encouraged the natives of Bengal to come forward with their complaints, asking for the same rights which the Sonthals have obtained*. It is also very probable that the late mutiny has inspired the ryots with some energy which till now was latent.

Do you think that a ryot can contend fairly with a planter for his just rights in the Foujdarry Court or in any other Court?

Never, never; it is a *hopeless* case, because the planter has his *mookhtar* (Attorney) in the Court. The ryot has not the means of employing a *mookhtar* to plead his cause. At the same time it must be remembered how difficult it is for a ryot to bring any case into Court. He has first of all to pay for a stamp paper, then to get the petition written out, for which he has to pay; he has, besides, to deposit six or seven rupees for the witnesses, and if he does not bribe all the *amlas* in the Court over to his side, there is no chance of his obtaining satisfaction. But suppose, that by some extraordinary chance he gains the case, the man is *marked and cannot remain any longer in the village, because he will be persecuted by the planter*.

The Missionaries must have had good opportunities of judging of the general condition of the planters, and of knowing if they habitually behaved oppressively to the people, and have they done so?

Yes, I believe they had opportunities; but I can now only speak for myself in this case, and I can only say, that I have not shrunk back occasionally to point out to some planters the *unfairness of the system* on which they cultivate indigo, which, though *generally admitted was put aside by them, under the plea* that it would not otherwise pay; and on some occasions also, when ryots complained to me about minor oppressions, I went straight to the planter himself and told him all about it, because I thought openness and straightforwardness was the best course for me to pursue.

Can you state any concerns or factories in which schools or dispensaries are established for the benefit of the surrounding population?

42 *Missionary Evidence before the Indigo Commission in 1860.*

I know that Mr. Forlong had, some years ago, established a school and hospital at Mulnath to general satisfaction, but *I do not know of any other instance.*

When you stated that you have had to remonstrate with the planters regarding the existing system, were such occasions frequent or otherwise?

They were by no means uncommon and took place generally either at my house or at the planter's place.

Have you been acquainted with planters who have behaved justly and considerately to their ryots?

Yes, I know planters who, to the best of their ability under existing circumstances and with a *bad system*, try to behave kindly to the ryots. There are *some* planters for whom I entertain a sincere respect.

Have such planters been able to keep their indigo ryots tolerably contented?

I am sorry to say that they have not met with better success than the rest. However kind and considerate a planter may be, he cannot *lift the ryot out of the mire in which he is swamped.*

Do you think that the Police could have had any motive or interest in fomenting this agitation?

I cannot see what motive they could have had in instigating the ryots against the planters, especially as the *Darogas are generally kept on good terms with the planters.*

Do you think the zemindar have in any way fomented this agitation?

Although I know that the zemindars are often at loggerheads with the planters, yet I do not think that on this occasion they have fomented this disturbance.

From what you know of what is called the contract between the planter and the ryot, would you say that every ryot who endeavours to free himself from it, is necessarily dishonest?

By no means dishonest; on the contrary, it is amazing that the ryots have till now been so patient. A planter told me only the other day, that he knew the ryot was a looser on each beegah of land of about eleven or twelve annas by his own calculation. If this be so, it is only astonishing that any ryot remains connected with the indigo cultivation.

But under the circumstances is not the ryot's freeing himself from the fact of an unfulfilled contract much the same as breaking it, and is this morally justifiable?

I cannot consider that what is called a contract, or what the planter *attempts to prove from his books as a contract*, is in *reality* a contract. A contract ought to be renewed after a certain period and last only for a definite number of years, but in the present case this not so.

From what you have seen of the new summary law for the enforcement of the fulfilment of contracts, do you think that if that law were made permanent, it would work beneficially to the ryot?

No, it would not, and indeed the law could not be permanently enforced. *The ryots would rather die in jail than sow indigo.*

Reverend C. Bomwetsch, Missionary, Church Missionary Society, called in, and examined on oath.*

Will you state to the Commission the nature of your experience in Kishnagur?

A little more than 12 years ago, I was sent from Burdwan to Solo and lived with Mr. Lincke for about 12 months, and since Mr. Lincke was removed to Bollobpore, I lived alone altogether. I lived there for about seven years, and after visiting Europe, I returned to Santipore where I have been for a little more than 5 years.

Have you been in the habit of holding conversations with ryots?—

I am in the habit of conversing not only with Christian ryots, but with other ryots on all subjects, and with all classes if they draw me out.

Have you been in the habit of conversing with ryots lately on the subject of Indigo cultivation; and if so, will you state your experience on the subject?—

The feeling of the ryot is one of intense grief and of bitterness, which is growing upon them more and more every day. I never perceived any bitter feeling against the Government until after the passing of the new law.†

There was a respectable Brahmin to whose house I went over one morning, which was a regular preaching place of mine and my Assistants, and he told me, that the night before by moonlight, the factory-people had ploughed up eight beegahs of his rice and sown Indigo upon it; *the planter's object was to get him to take an advance*. He, however, on the consideration of being the head man of the village was afterwards let off through the mediation of the dewan, and had only to sow three beegahs. The cultivation is ruinous; almost during the whole year round, the ryot is obliged to pay the closest attention to ploughing and clearing the ground from grass, crushing clods, sowing, weeding, cutting the indigo, and carrying it to the factory; and many of them are obliged under pretence of cart-advances to serve the factory with one or more carts during the whole cutting-season, so that they cannot attend to their own rice fields. Almost every year of late, the ryot is obliged to leave his rice half spoilt by the *jungle*, which he has not time to weed, or, if a man of property, he has to expend a great deal of money in weeding expenses: all this must, of course, make him dislike and even hate indigo cultivation from all his heart: besides this, when the ryot brings his own indigo to the factory he is *cheated out of a great deal of it by the factory*.

One evening, some of my Christians and the most respectable Hindoos of —, from some of whom we rented the land for the Mission, told me with great grief that they had suffered *opaman*, i. e. disgrace or beating, for the first time in their lives. They told me that the planter had been there, and wanted them to take advances, which they refused. When they would not *take the money into their hands*, he threw it down, and when they were reluctant to pick the rupees up, he applied his riding whip to some of them. In the end they were obliged to take advances; this occurred about nine years ago. On another occasion, I was under the necessity of begging of the Magistrate to send me some burkundazes, because for several evenings *latials* were seen by my people to be hovering about my village, and as those factory servants or *latials*, whichever they were, sent me a message that *they would grind me to tobacco powder (tamaku)*, I had reason to be afraid, especially as at the time I used to live in a school-room, which was on the roadside quite unprotected; I did not see the *latials* myself. The reasons for their threatening me were, because at the time I ventured to make the planter take back some rupees of advances that had been forced upon two poor Christians of mine, who at the time had neither ploughs nor cattle; and because my very presence near the factory was quite suffi-

* Bengal Indigo Commission Report, pp. 84. East India Commission Report House of Commons Returns, pp. 52.

† The law making the contract for sowing Indigo a penal offence.

ent to check oppression. Two burkundazes remained with me about a fortnight, but no lathals were apprehended.

Recently a man came to me and told me that his house was burnt down in the night, because he would not sow indigo; this man lived within the Ruttonpore concern. For some years many persons have complained of their houses being burnt down. There was one case in ——— or ———. The people stated to me that some houses or one house (I forget which) had been burnt down, because the people were reluctant to sow indigo, and in order to oblige the zemindar of the place, by harassing his people, to give up his village to the planter. In this case an investigation was made by the Magistrate, and both parties were punished.

Did you ever see a village in which houses were knocked down, and from which ryots had deserted?

On one of my tours, I saw a village with only a few houses left; the remaining people told me that the village was so deserted on account of the indigo oppression.

Two men (father and son) while endeavouring to rescue their cows that were being taken away, were beaten, and one very severely, on account of which it was thought necessary at once to remove him until his wounds were healed. They were taken to the ——— factory, and from thence successively carried about from factory to factory, always or mostly by night, for about three months. The brother of the man who was so severely beaten, and the son of the old man complained to the Daroga and Magistrate; the case was investigated both by the Daroga and by the Deputy Magistrate. The Deputy Magistrate found on the spot the marks of blood, which the young man had lost, and reported the matter correctly, and at the same time reported also that a counter-complaint by the planter or his people was an entirely false one. The case was put off because the chief culprit would not make his appearance before the Court, and as the man despaired of the case, he in order to get his father and brother back, promised at last to compromise the matter; this was done with the Deputy Magistrate's consent. The two men, after having been released, found that the brother and son had put in a *razinama*,* but the young prisoner himself was not willing to compromise, as he had been suffering and not his brother. The man was again taken by stealth to the ——— factory, to make him give in a compromise; he then got ten rupees and was told that both of them, he and his father, must at once go with the planter to Kishnagar, and say before the Magistrate, that they had only been imprisoned in one factory and had been treated very kindly, getting plenty of food, and that they had no longer any complaint to make. The man saw this would not do, for he knew the case had got into the papers, and he had been to Mr. Lincke and told him all. Then afterwards the men, under the pretence of having no cloths with them, begged to be permitted to go home for that evening and promised to return the following day, and in order to deceive the planter, they took the ten rupees that he had offered to them and then they went home, and that very night, I believe, the young man fled away, first to Mr. Kruckenberg to Chupra, who sent him disguised as a woman to me at Santipore on a cart. I immediately took the man and went right up to the Deputy Magistrate of ——— who had investigated the case on the spot, telling him, "here at last is ———," and pointed out the wounds of which he had seen the blood on the spot. No sooner did the Deputy Magistrate see the man, than tears came into his eyes; he asked after the old woman, his mother, who had implored him so earnestly to get her son and her husband back to her; but when he was told that the old woman was dead, and that her death was attributed to great grief, as she fancied her husband and son were dead, the Deputy Magistrate expressed his great sorrow; but at the same time told me that he could not undertake to do anything in the matter, but that I should go to the Magistrate on behalf of the man. I did so, but the Magistrate said, "you must not come with the man to me, as there is a bad feeling between the Planters and the Missionaries." Then ——— himself put in a complaint on his own part and that of his father.

I was determined to have the case looked into, and went down to Calcutta to take advice and to bring it up before the superior authorities, but that being the time of the mutinies, the matter was dropped. At the time I took up the man's case, several other Hindoos sent word to me to assist them in their cases, but I of course refused, as I could not do so with propriety.

* A deed withdrawing the complaint.

Do you know of any other instance of kidnapping?—

There was a young man near ——— (I believe it is the very man whose house was burned or plundered) who along with his father, had been taken away and carried about for about *three months* from one factory to another as prisoners. They could not complain at all, as the village had been taken possession of by the planter and they *feared the consequences*; so nothing was done.

If we took up every case that is brought to our notice, we should all day be writing to the Magistrates or planters.

With regard to outrages on women, the brother of a man, whose wife had been taken away from a ghaut, came and told me of an incident; the man's story ran thus: Two young women were fetching water at a ghaut and were taken away by the servants of a planter. After finding out which was the woman that they wanted (who is said by the people to be one of the greatest beauties in Kishnagur), they let the other one go on her way, and the one, who was the beauty, was carried to the factory. The Daroga was at once brought by her relations, but he went away without doing any thing. Afterwards, I believe, they petitioned a Deputy Magistrate near the place, who some how or other got rid of it.

Do you know of any other case of oppression, besides those you have mentioned already?

I know of some more *imprisonments* that have taken place during the last year; some people of Govindpore and of a neighbouring village, who had been for months imprisoned. One party, I believe, six in number, were caught at night; whilst being carried from one factory to another they were observed by the Government postman, who, I was told, on seeing them shouted out, asking who they were; (because they carried sacking on their heads, which looked very much as if they were going to steal rice) No sooner did the *latwals* who had accompanied them hear and see the Government postman than they ran away, and the men went home or were taken by the postman to Kishnagur, (I forget which) but at any rate they were presented to the Magistrate.

I know the case of a garden which was cut down in this wise. One evening when I was sitting at dinner with Mr. and Mrs. Lincke, a great noise was heard, and some of the Christians came running and told us that the planter had come and ordered a plain garden to be cut down in order to use the land for his indigo. Mrs. Lincke and myself did not think it advisable that we should interfere, but Mr. Lincke did go out and tried to prevent them from cutting down the garden, but without success. I saw the garden after it was cut down.

On the whole, do you consider, that cases of *kidnapping* or confining among the ryots or others, are rare or frequent, I mean within your knowledge and experience?

I must say, that such is a *standing rule*, and indeed almost an *every day occurrence*.

Have you known of a concern in which this practice did not prevail?

There may be such concerns; I do not know of *any factory* or concern, within my range of experience, of which I could say, that the practice does not exist at all.

Can you say, whether this practice prevails more in some factories, and less in others?

Yes, it does so, more in some factories and less in others; there is a difference between planters.

Do you know of any planter who does not practice oppression?

Yes, I do, almost my nearest neighbour; I mean the gentleman who manages the Culna factory, whose name I just now forget. I have never seen him, but never have I heard any complaint against him; on the contrary, I have on several occasions heard him well spoken of.

Do you not consider that a planter who treated his ryots well would be better served, and would thereby be a gainer?

I do think so; but I do not mean to say, that a planter who does not oppress will soon get rich, because if *he does not oppress at all the work won't pay.*

Is it then your deliberate opinion, that under the past system, no Indigo Planter could get on without practising oppression?

Decidedly so; if the planter wishes to get as much indigo as he makes up his mind for, he must oppress, except he has all *his* cultivation.

Has the planter generally much influence over the Police, or are Police afraid of the planter?

Both; the planter has much influence over the Police, and the *Police are sore afraid of the planter.* I have known several Darogas, who were justly inclined, but *who did wrong through fear of the planters.*

Why should the Daroga be afraid of the planter?

Because the planter may make *ill reports of him to the Magistrate, and he may be dismissed.*

Rev. G. G. Cuthbert, Secretary to the Church Missionary Society, Calcutta, called in, and examined on oath.*

Did you not, some years ago, take part in a discussion on the cultivation, and, if so, state what led you to do so?

Yes, in the year 1856; what immediately led to the discussion at that time was a *violent and abusive attack* by a certain planter upon me and others, for statements, incorrectly reported to have been made at a Missionary Conference in Calcutta; but previous to that time I had felt compelled by a *conscientious feeling of desire of duty to help people in distress*, to take an interest in the subject. I may mention here that in my annual visits to the Kishnaghur district, as I stopped at the various Mission stations, the ryots, chiefly Christians, hearing there was a *Sahib* from Calcutta there, *used to come and state their grievances arising from indigo.* This was done *from year to year*, and I was **EMPLORED BY THE PEOPLE** to try and do something for their relief. I told them again and again that I had no power to help them, but they did not seem disposed to believe it. My Missionary friends also urged me to do something either with influential parties here, or through the press. Thus partly constrained, by my own feelings, and partly by the urgent entreaties of both these parties. I was anxious to do something if possible.

In 1856 was there any excitement among the ryots, similar to that which now prevails?

Not by any means so great.

Was there the same discontent?

Yes, much the same, but it was not so plainly *manifested by open acts.*

When you first became acquainted with the country in 1846 was there the same feeling?

Yes, I believe there was a feeling of *hatred* to the cultivation of indigo.

Then the feeling has always been the same since you were first acquainted with the country?

I think it has been always much the same; but it *appears* to be more intense now, because it has been exhibited by *open demonstrations.*

* Bengal Indigo Commission Report, pp. 163. East India Indigo Commission, House of Commons's Returns, pp. 100.

Then are the Commission clearly to understand, that under the present system the ryot is not a free agent?

As a general rule, he is *not*.

Would you please to state more fully to the Commission the reasons which made you take part in the discussion about indigo in 1856?

I mentioned some the other day, and will now add two or three more bearing on my own particular work. Our Missionaries make extensive preaching tours in the cold weather, and almost always send their journals to me; and I found frequent mention of this kind of experience. On reaching a village, where they were not known, and beginning to preach, the people used to ask them—“*Is your religion that of Neel Sahibs (Indigo Planters) because if it is, we wish to have nothing to do with it on account of the klesh (trouble, misery) which they inflict upon us.*” Again, they have said, “you profess to be our friends, and to come here to speak to us for our benefit, *show us that you are so by delivering us from these troubles and then we will hear you.*” Further, what we desire to see in our Christians and in the native peasantry, generally, is an *independent spirit, an ability to stand on their own legs, as it were.* It seems to me, that the connection of ryots with indigo planting tends to *repress that spirit*; and further still it is found in a thousand instances most difficult to *improve the moral condition of a people, whose social condition is extremely low*; and hence Christian philanthropists in England, such as Lord Shaftesbury, aim at raising the physical and social condition of the poorer classes, whilst seeking to benefit them religiously, and we have thought that the poverty, distress, and unsettledness of mind, which the people complain of in indigo districts, stand in the way of their moral improvement, and their attention to religion: to use an eastern proverb, “*An empty belly has no ears.*”

Have you seen any of the ryots who have arrived from the disturbed districts, and can you say whether or not any persons have tutored these ryots as to their mode of giving evidence?—

I have seen many of them. On the first occasion when they came down, hearing they were at our Missionary Station at Calcutta I went to see them. They were some hundreds in number; there was no attempt made then to tutor them. The desire was to ascertain what they had to say, and for that purpose they were placed in groups, say five to ten persons from the same neighbourhood, with a native taking down an abstract of their statements. I think I should have heard of any of the Missionaries attempting to tutor them, and I have not heard of it. In fact it would have been impossible to “*cram*” as the newspapers allege, from one to *two thousand* men, which was about their number in Calcutta at the time. Further, there was no necessity for it, as they were already *cram-full*, so to speak, with their own grievances, such as you hear in most parts of Bengal. And thirdly, when the men whose evidence was actually taken were selected, I saw the President of this Commission selecting them from their intelligent looks, their difference of caste, and their residences in different parts of country, so as to represent all classes of the peasantry.

Have you from facts brought to your knowledge formed any opinion as to the causes of the late excitement?

I have stated already that the people were decidedly and bitterly hostile to indigo cultivation. Several years ago I learnt from persons in constant communication with the ryots, that they were in a state of *extreme irritation and ready to break forth at any moment and on any incitement.* I think, that incitement came quite unintentionally from the present Lieutenant-Governor, from some remarks made by him when visiting Kishnaghur in 1859, to the effect that the ryots should be left free to cultivate indigo or not as they chose. The excitement caused by this was strengthened by the letter addressed to Mr. Grote on the subject by the Official Secretary to the Government of Bengal in October 1859, about a complaint against the planter of ———. This led the ryots to believe, that the Government were on their side, and in favour of their refusing to cultivate indigo. I think it likely too,

48 *Missionary Evidence before the Indigo Commission in 1860.*

that the people had taken a lesson from previous political events in this country, not only the mutiny, but the Sonthal rising a year or two before. The Sonthals had been much oppressed by native *Mahajuns** they appealed again and again to the authorities for protection, but *without success*, which led them to believe that the authorities favored their oppressors. They then resolved to rise and *right their own wrongs*. They did so. They were of course crushed by British power, but they gained their point. They made themselves feared, respected, and attended to. They are now a protected people under their own Special Commissioner (since appointed) no man daring to oppress them. I think it probable that the people took a hint from this.

The Reverend *J. C. Lincke* of Kishnaghur, called in, and examined on oath 31st May 1860.†

Have you perceived any growing dislike of late towards the cultivation of indigo on the part of the ryots; and if so, can you state from what causes the disinclination arises?

The dislike has *always* existed, but has greatly increased of late; the causes are numerous and various indeed. In particular, for the last three years, the ryots have told me that the *oppression on the part of the planters* has been on the *increase*. The ryots say that they have been obliged to pay more attention to the cultivation of indigo, in ploughing, weeding, &c. for the last 3 years than formerly, to the detriment of their own rice crops as they are not allowed to attend to their own lands till the indigo sowing is finished. The time for sowing rice and indigo comes together, and although the ryot may manage to sow a little rice, yet as no time is given them to weed it, the crop seriously suffers. Also they complain very much of being obliged to sow more land than they formerly did.

About 3 or 4 years ago, either in 1856 or 1857, a number of cattle had been taken away belonging to Christians in the neighbouring village during the day time; the people came and complained to me, and I wrote to the planter remonstrating. He in reply said, I had been misinformed, whereupon I replied with a statement of the *names of the people* who had taken the cattle away, such as factory servants and *lattiahs*. Failing redress, I wrote to the proprietor some of the cattle have only recently been got back by accident. And the second instance is this: cattle had again been taken away from another village, the Zemindar of which village wrote to me, asking me to see what I could do. I have that letter to this day, as also the statement of the chowkedar, as well as of the burkundazes stationed at a *pharee*.‡ I could do nothing with the planter, so the zemindar made a complaint to the Daroga or the Magistrate, I don't recollect which. The Daroga came, but unfortunately fell into the hands of the wrong party; he made a statement contrary to the zemindar's statement, consequently the case was dropped. I believe the zemindar's statement to be true from the tenor of the conversation I had with the ryots with whom I spoke, but I cannot say that they were the actual sufferers; in this case I did not write to the planter. The zemindar, the chowkedar, and burkundazes agreeing together in the tenor of the conversation with the ryots, made me believe this statement to be true. As regards beating, at the time the cattle were carried off two men were beaten by the factory people, because they tried to prevent their cattle being taken away; these two men were carried off too, and were not seen from the 18th March to the 31st May; I remember the circumstance well, as they were two of my Christians. When they came back, I saw scars on the head of one of them where the hair had not grown. The other was an old man, and was not beaten quite so severely; he had a wound behind his ear. The younger of the two told me the names of the *various factories* to which they were carried, and could point them out if necessary. They were first *bound by both hands*, afterwards by one hand, and then with a rope

* Small Merchants and money lenders.

† Bengal Indigo Commissioner Report p. 77. East India Indigo Commission, House of Commons' Return pp. 48.

‡ Police Station.

round their waist. In this instance also I wrote at once to the planter, begging him as their Pastor, to set them free. Their families said we don't care about the cattle, restore us our husband and father. I said I wrote to the planter, but got no answer; this occurred in 1856 or 1857.

When there is a dispute between planter and zemindar, the ryot invariably suffers. In connection with this dispute for two successive years, a *cordon* was drawn or perhaps for two months, more at a time, between the planter's and the zemindar's village, and all communication was stopped between them. There was a large *haut* in the zemindar's village, and a small one in the planter's and people could not pass from one *haut* to another; our Christians, living in those villages, were not allowed to come to Church. Two Christians who were coming to a sacramental meeting were stopped in the way, taken to the village cutcherry and abused, and then to the factory, which is about two miles distant, and back to the village; they were then laid under a fine of 25 rupees; but having no money my catechist became security, but the fine was never required to be paid; I paid a rupee to the *peenda* with my own hands as his fee for seizing the people instead of their paying themselves. They were carried through my village in charge of four *laltials* and one chowkidar who threatened them, that if they ventured to speak, they would be speared; there was no complaint made to the Magistrate. I wrote to the planter on the case, and begged he would not allow such treatment; he replied that he was very busy in packing indigo, but would enquire into it. I reminded him of it afterwards, but no notice has ever been taken of it.

Is there neither Law nor Police in that country, to which you could apply for protection against such proceedings?

There are both law and authorities in the country; but in the *first* place, the ryots have not money to prosecute; *secondly*, they are afraid to be way-laid; and *thirdly*, they have very seldom got justice done them.

Will you please return to the instances referred to in my last question?

I know another case of *kidnapping*; this happened on Easter Sunday two years ago. At that time the planter was anxious to raise a cutcherry in one of the zemindar's villages, and went with a large force with every thing prepared to do it, but he was resisted by the zemindar's people. On that occasion a Government chowkidar and his son were taken away; in about 3 months they re-appeared, but I did not see them on their return. On the same occasion there was one house burnt down, and others *looted*; I was on the spot two days after when the Daroga went to make a report; I saw things of small value strewed about which had been thrown away by the *looters*; I saw the ruined homestead. The Magistrate investigated the case himself and found both parties guilty; both parties were fined and imprisoned. It would appear the Magistrate judged the case as one of double affray, but my belief is that it was an attack by the planter against the zemindar, and a defence by the zemindar. The planter's people complained that the house burned down was their cutcherry, and that a man had been killed. I know that there was no cutcherry, and I believe no one was killed. I have had no complaints made to me about outrages on women.

Then, on the whole, you have no reason to believe that such things ever occurred?

No; that is, nothing has come to my *personal* knowledge.

If such a thing had occurred, do you not consider that with your intimate knowledge of the ryots, it would have come to your notice?

I don't think it would have come to my notice, as they are most careful not to speak on such subjects; once known that any thing had happened to their women, their caste would be gone.

Were you in the district at the time when planters were appointed Honorary Magistrates, and can you give us an idea of the impression which that measure produced?

I was there at the time; the impression was very unfavourable among the ryots; their expression was, "*now they have made the wolf the shepherd of the sheep.*"

On the whole, do you think the ryots better off in respect to house, clothing, and food on the estates held by zemindars, or on estates held by planters?

I have observed no difference; but in the Burdwan district I think the villages are much better; there are more *pukka* houses, than in Kishnagur. In Kishnagur you must go a long way to see a *pukka* house, except what belongs to *zemindars*, a *Government servant*, or the *servant of a factory*.

Then within the last six months have the ryots generally mentioned freely in conversation to you their objections to cultivate?—

As I have said before the objections are nothing new, but have gradually gone on increasing. But since the time the Queen took the Government, they have been hoping for release, and as there is such a *unity* amongst them as has never occurred before, they think it *is from God*, and that the time of relief is at hand, and they also look to this Commission with great hope; but if they should be disappointed, *none can tell what will be the consequences.*

Upon what objection did the ryots chiefly lay stress?

They say "there is injustice in this, there is injustice in that, in fact *injustice in the indigo proceedings from beginning to end*"; and in addition to this, they have got a special and increased dislike to it.

Have you any reason to believe that influence from without has been applied to the ryots?

No, I don't know of any, nor do I believe this.

To say nothing of the *personal conduct* of the planter, do you think that the Indigo Planters' system, as it now exists, is favorable to the progress of Missions?

No, I do not think so: on the contrary I think it *unfavourable*.

Do you consider that the Magistrate has taken adequate notice of the complaints of the ryots?

No, I do not think so.

Do you believe that the Magistrates ever entertain any prejudice against the planter?

I know of no instance.

Rev. F. Schurr, Church Missionary of Kishnaghur, called in and examined on oath, 28th May 1860.*

Witness deposed.

Since I have had charge of Khpasdanga (eleven years ago) the cultivation of indigo by Christian ryots has considerably increased, but I am not aware of *one instance in which the ryot has taken the advances of his own accord*. They have been induced first by my persuasion, in order to live peaceably with our neighbour, as the planter was holding the lease of the land, and gradually a few new men were told that they *must* cultivate indigo; the condition was that if they did not cultivate indigo, they *would not be allowed to cultivate their own lands for any other crops*.

Can you state if there are any other causes which have made the ryots more averse to sow than they were before?

* Bengal Indigo Commission Report, pp. 63. House of Commons East Indigo Commission Return, pp. 38.

The chief cause is that the cultivation of indigo is very unprofitable to them, on which account the planters are under the necessity of resorting to compulsion, such as threatening them with withholding their lands for other crops; or abducting their cattle; or fining them; or *imprisoning them in the godowns*;—one such instance I have seen with my own eyes, I refer to a case of abducting cattle, or beating the ryots. My own Christians have been threatened twice with the *loss of their lands for cultivating other crops*. In one case the European Assistant told me himself, that it was the planter's intention to do so. Two or three days after I heard from my catechist that the proprietor had called upon the Hindoo ryots who hold *jummas* (rented lands) and demanded of them the withholding of their lands from the Christian ryots.

I remember an instance of a Christian who had been living within the ——— concern; his son being in my employ, the whole family were anxious to settle at Kapasdanga, and so left their old abode. The Manager of the ——— concern demanded that the man should sow a quantity of indigo for which he had received advances, which the ryot objected to do, stating his willingness to cultivate the same quantity of land in the ——— concern, and that his name and debt only should be transferred. This at first not being acceptable to the planter, one Sunday morning when all the Christians were assembled in church, some of the ——— *factory servants abducted that Christian's cattle from the fields* and took them towards ———. The cow-boys running in gave notice, and all the Christians ran out and rescued the cattle; I was just then on a visit to the Kishnaghur Station for two or three days, when I received information of it on Sunday evening, I immediately returned home on Monday morning, and found the case as I had been informed. My friends informed the Magistrate of Kishnaghur of the occurrence, who showed his willingness immediately to afford redress, but I considered it more in accordance with Christian doctrine and practice to speak first personally to the planter, who, admitting all the facts, apologized to me, and granted the transfer of the advances and debt to the ——— factory. In July 1856, some seven men, Christians, received advances for carts to carry indigo. The Christians desired the planter and dewan or gomashita before beginning their work to give them receipts, viz. *hut chittes*, for their daily work, which was agreed to. They went for some days to their work and they received their receipts, but the servants began to make excuses, and they did not receive the receipts regularly; whereupon the Christians stated that they could not carry indigo any more unless the contract was adhered to by the planter's people by giving them their regular *hut chittes*; the gomashita came to me and I requested him to procure the receipts for the Christians, promising that if he brought them on that day, in the evening, the Christians should fulfil their contracts, and myself would see them do it. The following morning, (July 31st 1856) the *hut chittes* did not come, nor did the Christians go to carry indigo, but an *amin* came and told the Christians that that day their cattle would be taken away. I disbelieved the statement, saying, "that no such thing could be done to them." But at 4 p. m. when I was writing at my desk, two or three men came running in, saying that the *laltals* had taken the Christians' cattle away. As it had been so often asserted that Missionaries listened only to false stories of natives, I had my horse immediately saddled and rode out in the direction of the factory. Near the bazar, I overtook some *thirty-five head of cattle*, and when the clubmen saw me, they ran away and I rode round the herd and turned them back; some of the Christians running after me took the cattle home; I was then told that another herd was coming up from the river side driven by *laltals*, I rode in that direction and close to my day school, the cattle came up, some *eighty head*. I rode along, and an *amin* with some eight *laltals* was in the rear of the herd. Immediately he saw me, the *amin* called out "*khair ra raho*," stand! "*Sahibke muro*," beat the *Sahib*; twice he used these words; I had only gone out to be an eye-witness, so I called out "*ami dekhayachi*," or, I have seen it, turned my horse round and galloped away, and I am told that one of the *laltals* attempted to take hold of the bridle of my horse, and to aim a blow at me, which fell on the syc. Returning home, I wrote to the planter briefly stating what had happened, and he returned rather a sharp reply, telling me to mind my own business. I immediately wrote off to the Magistrate, who promised to send out the *kohals* or Town Daroga as soon as he could get bearers. The cattle were taken away on Thursday; the Daroga arrived on Saturday morning.

'As to fines I cannot recollect a case of this nature occurring among my Christians, but I have generally heard complaints when preaching in the villages, of heavy fines having been inflicted: I make no enquiries of their sufferings or the injustice and oppression practised towards them; but when *preaching or speaking to them about justice, kindness, holiness, charity, &c.*, the villagers frequently speak of the wrongs which they suffer from the indigo system.

Some twelve years ago I paid a visit to Missionary, and at breakfast time, he spoke to his wife of the outrages of the neighbouring planter and of his threat of burning down a certain village; at that time I was astonished to hear of such things occurring, and after breakfast, we both went to the top of the house, where he pointed out to me the direction of the village and I saw the smoke arising: I think it was in the cold season; I was new to the country and did not understand these things. I have no personal knowledge of pulling down houses; but I remember one case in particular about a *haut*; I was then living in a tent for some days, and people pointed out to me where a good many shops and houses were standing, and affirmed that a certain planter had burned down the place. They did assign a reason, but I forget it, as it is so long ago now. A few miles from that place where I happened to pitch my tent, I saw another village with the vestiges of *very respectable* houses, which had evidently been inhabited by prosperous ryots; I was also told that the planter had desolated the place, because the ryots would not agree to his terms; it had the appearance of having been once a prosperous village. I know no instance of any outrages on women to my personal knowledge; no one has ever complained to me of the abduction of his wife or daughter; but only a few days ago the ryots of one village said in my presence, "we will tell the Commissioners what oppression they have practised on our women."

Another circumstance has, I think, given the ryots courage to bring their grievances to the notice of the authorities. The ryots of one village complained to the Magistrate of Kishnaghur about the hard conditions they were placed under to the planters. Gradually several villages joined, and the movement having begun, before the time of making advances, the Magistrate released them from the obligation to cultivate indigo *forcibly*. This spread like wild-fire among the indigo ryots, and petition upon petition was poured into the Magistrate's Court. A *perwanna*—not the *perwanna* which has been so much discussed—was placarded by the Magistrate of the Sub-division. This encouraged the ryots to petition the Magistrate for redress.

Will you state what is the nature of the advice you have been giving to the ryots regarding the indigo question?

Before the passing of the Summary Act, I advised the ryots in my neighbourhood to submit quietly and patiently to the planters, and by no means to commit any outrage or any illegal act, and to carry their grievances to God; but in case they should be unable to forbear any longer, they should respectfully represent their hardships to the constituted authorities; and the ryots have done so.

Supposing the cultivation of Indigo is in itself unprofitable to the ryot, does not the planter offer the ryot various collateral advantages, which, on the whole, might make it worth his while to sow?

I know of none such at present existing except in a few cases; in former times they had schools. In the Mulnath concern there was a hospital for men and women, besides the school. There were other schools in the out-villages.

Does not the planter lend sums of money to those ryots who give him satisfaction?

Besides the advances I know of none.

Is it not often a great convenience to the ryot to get the cash advances at the very time he wants money?

I know positively of a few instances mentioned above in which it was an advantage; but now I am not aware of their getting much money in hand in October, when the advances are made, and I think that the ryots would rather be left alone.

On the whole, do you consider it possible, that so large a number of ryots could be absolutely forced to cultivate Indigo for such lengthened periods, unless at least there were various inducements of some kind or other held out to overcome their unwillingness?

If the ryots enjoyed the benefits and protection of the law, like the English peasants or peasantry in Europe, I should consider it impossible; but the *terror* in which the ryots have been kept sufficiently accounts for their *submission*; besides that an erroneous opinion seems long to have existed among them, that the Government had a share in all their profits, and being loyal subjects, they submitted to the present necessity; as soon as they were disabused of that opinion, up they rose.

At what time did a change in their opinion take place as to the interest of the Government in the Indigo concern?

Gradually, for the last six months; light came upon light, and now they are quite sure the Government have no interest, as the Magistrates have given heed to their complaints.

Have the ryots imbibed any impression that the Government is hostile to Indigo cultivation, or that it desires that a fair opportunity should be afforded to the ryots?

I believe the latter to be the case: I believe the ryots entertain this opinion of Government that they will henceforth render Indigo cultivation *optional*, and treat the Bengali ryots as *free subjects*.

In those cases where the ryot has excess of *fazil* (payment) to receive, why does he take fresh advances?

He cannot help himself. There is such moral influence brought to bear upon him, that if he refused, physical force would be applied.

Do you think that the planter's estimate of the balances, and the Ryot's estimate of the balances would agree?

Certainly not; for if the *Ryots brought up their losses for many years past, the balances against the planter would be very heavy*.

Are there not many estates, on which the Ryots would, notwithstanding an option being allowed to them, and notwithstanding their being made perfectly free agents, still continue to cultivate Indigo in order to please their landlords?

I believe they would cultivate a small quantity for a kind, considerate, and just landlord.

Are there not many such landlords among the Indigo Planters?

I believe there are many among the Indigo Planters who must decidedly disapprove of the present system, and if they had it in their power, would put it on a different and more satisfactory footing, and prove kind, considerate, and just landlords but *individually* they have not the power to amend the *system*.

Do you consider that adequate notice has been generally taken by the Magisterial authorities of the complaints of the Ryots?

I do not think that *adequate notice* has been taken. I lay stress on the word *adequate*.

It has been stated that there has been a strong prejudice in the minds of Magistrates against Planters and in favour of the Ryots; as far as your observations go, do you think this correct?

I have never known of any such prejudice; I have known Civilians stand up for the just rights of the cultivators, which exposed them to the charge of being prejudiced against the Planters.

* The Ryots are now looking for the action of Government, and confidently expect that they will obtain redress of their grievances, but they declare that if they are disappointed, *the consequences will be terrible*. This is not my imagination; I only state what I have heard. This feeling does not exist in Kapasdanga, but I have heard of its existence from persons from *all parts* of the district.

Baboo *Pul Choudri* of Ranaghat, in Nuddea, examined on oath,
18th May 1860.*

If the ryots have, for the last 20 years, been unwilling to sow Indigo, how then have they gone on cultivating the plant up to the present time?

By numerous acts of *oppression and violence*, by *locking them up in godowns, burning their houses*, beating them, &c.

You have said that you prevented your ryots from sowing Indigo to induce the Planter to take *putni* and *ijara* leases from you, but did you prevent them from doing so on account of their having been ill-treated by the Planters?

Yes, I have always told the Planters not to practise oppression, but I was not listened to

Nussi Joardar, inhabitant of ——— Thanna ——— Zillah Nuddea,
Concern ——— very lately a prisoner in the Kishnagur Jail, called in and examined on oath, 13th July, 1860.†

Would not it have been better for you to sow Indigo once more this year than to have gone to prison?

I am quite unable to sow Indigo any more; I am quite tired of it. The former manager used to give us something, but since the factory has got the *permanent lease*, Mr. ——— has not given us a pice.

If you never made an agreement, how is it that you lost your case, and was sent to prison?

The *amcen* and *takidgir* gave evidence against me; I cannot say whether the *dewan* did. The case was tried in ——— Factory, near the ——— Thanna.

Would you prefer sowing Indigo next year, or going to prison?

No, I would not. I prefer begging. I have a *junma* of rupees 20-8 at three beegahs per rupee of rent. I have not been able to cultivate it, as I have been in prison, and my sons are not grown up, and I have no relations, and I could not make any arrangements as I was in jail.

How have you got out of jail, has your time expired or how?

My father-in-law sold two milch cows, two bullocks, goats, and fowls, and scraped together 36 rupees, of which here is the receipt.

Now you are going home, what is it your intention to do?

I shall have to work as a *day labourer*, I have no other means.

Chunder Ghose (caste *Gowla*), inhabitant of ——— Thanna ——— at present a resident of the jail of Nuddea, called in and examined on oath 13th July, 1860.‡

Witness deposed as follows:

Formerly there used to be *some* justice in Indigo, and men used to be well

* Indigo Commission, pp. 11. † Indigo Commission, pp. 50. ‡ Indigo Commission, pp. 51.

paid. I have heard so from my father and mother. Now there is *no justice*. I heard in *Phalgun* last that there was an order that those who had pleasure in Indigo, might sow it, but as I had no pleasure in Indigo I didn't sow. We have no October sowings in our part of the country. I presented a petition to the Magistrate saying I did not wish to sow. About a month afterwards, the peon took me to the Court, and I was asked why I broke my contract. The *amin* and *tahadgir* gave evidence against me, my witnesses to the contrary were not believed. I was cast in damages in the sum of 32 rupees. I used to sow two beegahs and five cottas with Indigo. My brother's shareholders have run away, my son is very young and can't work. I was the elder brother, and I used to manage matters, and my brother would not allow me to plough. I can read and write a little. My father-in-law is dead, and there is no one to take me out of prison. It is better I should remain in prison. I shall have something to eat. I was taken away like Seeta, the wife of Rama, by the Magistrate. I have 14 days left of my sentence, and I have only two old cows, not worth three rupees.

Buddan Mundal, (caste *Kyburto*), inhabitant of ——— Thanna ———
Zillah Nuddea, Concern ———, very lately a prisoner in the Kishnagur Jail, called in and examined on oath, 14th July, 1860.*

Witness deposed as follows :

We made a petition, several of us, to the Magistrate in *Phalgun*, whereupon we were told that it was optional to sow Indigo. In *Baisakh*, I was sued by the factory *Schah* for breach of contract. The *deewan*, *amin*, and *tahadgir* gave evidence against me. My evidence to the contrary was, that I had not been to the factory and not received any advances, but it was not believed.

Dudh Mullick, inhabitant of ——— Thannah ——— Zillah Nuddea.
Factory ——— Concern, called in and examined on oath, 14th July, 1860.†

Have you sown Indigo this year, and if so, what has happened ?

My story is as follows : My father was a servant of the factory, after his death they sent for me and gave me a place of *tahadgir*. My father was sirdar of the *nijabad*, I served as *tahadgir* for 22 years. I was told to give evidence in a case about ——— but I refused to do so. In *Phalgun*, they sent for me and fined me 100 rupees, which I realized by the sale of cattle. I presented a petition to the Magistrate on the 4th of *Phalgun* saying I would give up my situation. Then I was sued for breach of contract in *Chaitra*, but the factory did not prosecute the case. I have been beaten at the factory and the marks are still on me. Also they have cut down all my bamboos. The factory broke up 7 beegahs of my rice lands and sowed it with Indigo.

Panju Mulla, inhabitant of ——— Thanna ——— Zillah Nuddea,
Factory ——— Concern, at present a resident in the Kishnagur Jail, called in and examined on oath, 14th July, 1860.‡

Witness deposed as follows :

I could not sow on account of the injustice. I had sown in the previous *Baisakh*. I understood that there was an order of Government that those who had not entered into an agreement need not sow, and as I had always sown by compulsion, I would not sow any more.

Would not it have been better for you to sow this year, instead of going to prison ?

* Indigo Commission, pp. 51.

† Indigo Commission, pp. 51.

‡ Indigo Commission, pp. 52.

.No, I would rather be *killed with bullets*, and *have my throat cut*, than sow Indigo.

Chundra Nath Sircar, resident of ——— *Zillah Nuddea*, called in, and examined on oath, 26th May, 1860.*

How did you loose possession of your *gauti jumma*?

Mr. ———, the Manager of the ——— *indigo concern*, is the zemindar of my village. My *gauti* is a *mourasi* (i. e. fixed and hereditary) *gauti* of 114 rupees; it is a very old one. Mr. ——— and his naibs sent for me and asked for more rents at the rate of 2 rupees additional a beegah; in some instances 1 rupee; in others 8 annas; in others even so much as 2 rupees 8 annas. I did not agree to this, on which Mr. ——— ordered me to be kept 2 days in a *godown*; I was so kept for 2 days *under lock and key* with a jemadar at the gate. Two days afterwards Mr. ——— sent for me, and I from distress said, "let me go home and see what the others say;" I went and remained concealed. About 10 days afterwards, Mr. ——— sent 25 *latials*, i. e. armed men, but as I was in the habit of concealing myself in another person's house, they could not find me. They surrounded my own house, but I fled to Nuddea; this was in 1264, Bengali year. I preferred a complaint to the Magistrate; the Magistrate became *displeased* and said "you are come to complain against a *hakim*." He then told me to point out my witnesses, which I could not do *for fear*; I could not go to the village, as it was beset with *latials*; so my case ended in nothing, and I was unable to sue for re-possession either in the Civil or Criminal Court.

Had you any dispute about indigo with Mr. ———

I have no ploughs of my own, but Mr. ——— used to sow indigo in my fields and *not pay me my rent*; this was when I still had possession of the *gauti*,† he used to sow by force. Through fear I was unable to complain of this; Mr. ———'s people used to cut down my trees, mango and jack, to burn their brick kilns and to make indigo boxes; I was never paid for them.

When did the oppression about Indigo, that you have stated, commence?

From 1263 to 1264, Bengali year, Mr. ———'s people used to cut my trees, and not pay for them, i. e. for a tree worth ten rupees, I was paid one rupee; and Indigo used to be sown and no rent paid for the land; all this oppression has increased by degrees.

Muddun Mohun Bose, of ———, *Zillah Nuddea*, called in and examined on oath, 26th May 1860 ‡

Have you any possessions in your village?

I had a *gauti jumma* of eighty rupees which Mr. ——— has taken away, because I did not agree to pay a higher rate of rent. The Nuddea Raja's ancestors had given my family a potta at a very low rate, at five annas four pie a beega; Mr. ——— wanted me to pay four annas more upon each rupee. I was willing to pay two annas; but this did not satisfy him. He has also taken away our rent-free lands. Mr. ——— prevented me from collecting my rents from my under-tenants, and collected them himself. I only complained to Mr. ——— and not to any of the Courts, but the *Sahib* wouldn't listen to me. Mr. ——— used to sow Indigo up to my very doors.

If these ryots do not like to sow Indigo, why don't they pay up their balances and free themselves?

The factory *won't take them*, we are not allowed even to speak about it.

* Indigo Commission, pp. 54.

† Small form.

‡ Indigo Commission, pp. 55.

Did the ryots ever speak about it, or did they take the money^{*} in their hands to the factory?

Some of my under-tenants have, but the factory would not accept it.

Why did not the ryots put it under the Summary Law of 1830. pay their money, and be free?

They are not aware of the law.

Are you afraid to go to your home now?

Yes, on account of the expenses of the *lattials*, who were used in turning me out, which expenses I shall be called upon to pay.

Ameer Mullick of —, Thannah —, Zillah Nuddea, called in, and examined on oath, 2nd June 1860.*

Have you had any dispute with the factory about indigo, or about any lands?

I am a *gantdar*. About five or six years ago, Mr. — wanted me to receive advances; my *gauti* is one of 58 rupees *jumma* (rent); I had neither plough nor bullocks, so I did not consent. When pressed I made my escape and came home. The dewan of — factory came and called on my sons to produce me, and on this occasion the dewan took my two sons first to —, and then to —. About four or five days afterwards some *lattials* were sent headed by the dewan, and they pulled down my *pucka* house with three rooms and the wall round the premises and plundered three of my barns; besides this they knocked down five thatched or *kutchas* houses; I think it was in the Bengali year 1263 or 1264, 1856 in the month of *Bhadro*. Besides this they netted my tank of some very large fish with which I had stocked it. They also plundered my house of all my furniture, tables, chairs, chests, brass, utensils, rings, &c. When I saw the *lattials*, I ran away, and fell down and twisted my foot, so I could not complain. My two sons were kept in confinement in —. After four or five months I got well, but I thought it useless to complain after that delay; but now I have complained under the new Act in the Collectorate, because it is cheap and easy. I laid my suit at 3,984 rupees; I believe I have got a decree.

Where are your family now, and what are they doing?

My wife, seven sons, one daughter, and four grandsons are now living on their estates in the best way they can.

Do all your ryots always sow indigo willingly?

For fear of being beaten, they sow.

What is the condition of your own ryots now?

Having seen the ryots of three other villages seized, they are all in terror.

Funni Duffadar, inhabitants of —, Thannah —, near — Factory, called in and examined on oath, 2nd June 1860.†

How long have you been in the habit of sowing indigo?

My father is a chowkidar and happened one day to see the — village burning, and being a Police chowkidar, he raised an out-cry, whereupon the *lattials* of the factory struck and speared us, and while insensible, set us on an elephant and took us first to the — factory where we were kept for about an hour, and then to the — factory. From the — factory, they took me away to some factory, the name of which

* Indigo Commission, pp. 111.

† Indigo Commission, pp. 97.

I don't know, as this happened in the night. I was always kept in a godown, with the door locked. The dewan told us that he would give us regular wages and restore to us all the property that had been taken away. I and my father were kept together. They also enjoined me not to make a complaint.

Did they ever fulfil their engagements, and if not, did you complain?

They never gave me anything, but put me off with excuses from time to time, so I complained to the Magistrate of Kishnagur, but I was persuaded by the factory people to put in a *razinama* (withdrawal of the case) This is about three years ago.

When you were confined in the godown, what sort of a place was it?

It was a dark room, in which the day and night were the same.

Was there any window for air?

No.

Did they let you go out for daily exercise?

No.

What food did you get, and who brought it?

I don't know who the man was, but we used to get some rice in the husk and water. The man brought it to me, when there was no one by to see that there was a prisoner confined.

Abadi Mundal, Christian, inhabitant of —, Thannah —, near the — Factory, called in, and examined on oath, 2nd June 1860.*

Before the factory got the lease of my village, my cattle were grazing on the plain one day, when 50 or 60 *lattials* came up and were taking them away, when the herdsman gave me notice. I ran out and remonstrated; they threatened me, and when I persisted in going near them, I was wounded on the head and thigh, of which I still bear the marks; my father was also wounded at the same time; whereupon they carried us away first to —, thence to —, from there to —, and thence to —. They took me in *Phalgyn*, and let me off in *Jyeshto*; they took care of my wounds, but for eight days did not give me much to eat, after which they fed me tolerably well, confining me in the drying house. They gave me one full meal a day and *moorki* and *chera* (preparations of rice dried) besides, in the evening; they also brought me water to bathe in the godown. In the end, the Dewan of the — factory gave me 25 rupees and let me go. I complained to the Magistrate of Kishnagur, but no order was passed on my petition by the Magistrate.

Why did they give you 25 rupees?

They told me that I had suffered a good deal of loss by my cattle being taken away, and that I had been wounded; besides which they told me, "you are a Christian and they hoped I would not tell the *Padre Sahib* any thing;" but for all that I thought it necessary to tell the *Padre Sahib*.

Kulin Mundal, Hindoo, inhabitant of —, Thannah —, near the Factory, — called in, and examined on oath, 5th June 1860.†

Why did you not complain to the Magistrate?

Because the planter tells us that whoever goes to the Magistrate, will have his house pulled down, and be turned out of the village. This year the *amin* and *takidgir*

* Indigo Commission, pp. 97.

† Indigo Commission, pp. 111.

told me that there was a new law passed, called *mughur ain*, or the law of the mallet, that unless I dug the indigo lands sufficiently deep, I should have my head beaten with a mallet and indigo sown in it. They said that they had got two laws out of the Company; the other law was for breach of contract; both laws are now in force.

What terms would you require to induce you to sow indigo in future, supposing you had perfect freedom of action?

On no terms whatever; if I had got twenty, or thirty, or even one hundred rupees a beegah, I would not sow indigo. The *amin* and *takidgir* said, they would make our wives and families weed.

Supposing a zemindar or any person in whose justice you had confidence, asked you to sow indigo, at what price would you do it?

I would sow indigo for nobody, not even for my father and mother.

Alam Biswas, inhabitant of ———, Thannah ———, Zillah ———, ——— Factory, ——— Concern, called in, and examined on oath, 8th June 1860.*

Did you sow indigo this year, and if not, why not?

I did not sow this year, although I have sown before; I have sown and my father and grand-father have sown before me. Last year I sowed two and half beegahs; formerly I used to sow one and a half beegahs; by degrees the extent has been increased; the year I could afford to fee the servants, it was not increased; my reason for not sowing is that I am required to give all my time to the cultivation of indigo. This year we heard that it was the order of the Queen that ryots were to sow indigo or not, as they liked; I did not hear or see it as a written order, but every body was talking about it.

Babu Bijaya Govinda Chowdhari, residence ———, Thannah ———, Zillah ———, called in, and examined on oath, 11th June 1860.†

Have you any thing to complain of?

The factory made an attack on my cutcherry and plundered it. The Magistrate came in person to investigate it and he took up his quarters in the ——— factory where an European assistant was living. The Magistrate did not pitch his tent. He held cutcherry in the house for three days. My agents and witnesses were not allowed to go into the house by the factory servants, as the factory held possession. At last the Magistrate sent one of his own orderlies to bring my plaintiff and his witnesses. The Magistrate then returned to ——— and dismissed my case and punished the complainant as for a malicious complaint with six months' imprisonment and 20 rupees fine. I appealed and the sentence was reversed, and the fine returned by the Judge of ———.

Mandari Biswas, inhabitant of Baghberia, Thannah ———, Zillah ———, ——— Factory, ——— Concern, examined on oath, 11th July 1860.‡

Witness deposed as follows:—

I used to be in the habit of sowing indigo four or five years ago. I have been told to sow this year ever since the month of *Agran*. I didn't sow this year, because I knew that it would take ten rupees to sow two beegahs of indigo, and that for one beegah they would take two. Somewhere in *Mogh* or *Falgun* a *perwanna* issued from

* Indigo Commission, pp. 129.

† Indigo Commission, pp. 149.

‡ Indigo Commission, Evidence at Kishnaghur, pp. 31.

the——— Thanna to the purport that the sowing of indigo was optional. Also I presented a petition with twenty or thirty others, to the effect that the factory people were going to take away my cattle. Then out of 200 people in the village, they pitched upon me and two others. They produced in Court a *khatha* or book in which, they said my name was. They produced no stamp paper bearing my name. The *dewan* and the planter explained that the stamp was a mere form, and also witnesses came forward and said that I had agreed to sow. And I produced witnesses on my side to depose to the fact of my having signed no agreement. I don't know the name of the officials who tried my case, but I was cast in a sum of 171 rupees, and I have heard that two of my houses and four head of cattle were sold, but I understand that this only amounted to forty-two or forty-three rupi, and I had nobody to raise the remainder of the decree for me, as who would lend to a man who had no property remaining?

Would it not have been better for you to have sown this year, than go to prison?

No, it would not.

How did you manage to escape from sowing indigo five or six years ago?

There was a dispute between me and the factory in which one man was wounded, and so after that no one of our village sowed any indigo.

Andai Kulhu, inhabitant of ———, Thannah ———, Concern ——— at present a resident of the Kishnagur Jail, called in, and examined on oath, 14th July 1860.*

Didn't you go to the factory and take money?

Ten years ago, I went to the factory, and took an advance at two rupi per beegah. Since then I received nothing; I was imprisoned for breach of contract, and my son was imprisoned for an affray. I am a *Kulhu* and make oil, but I also have a plough and cultivate.

Would it not have been better this year, to sow Indigo, than have to go to prison?

No, we only get ten *chattaks* a day which is not sufficient, i. e. four in the morning and six in the evening. Still for all that, I would rather be in prison than sow Indigo.

Buddun Chowdari, inhabitant of ———, Thannah ———, Factory ———, Concern ———, at present a resident in the Kishnagur Jail, called in, and examined on oath, 14th July 1860.†
Witness deposed as follows?

My fore-fathers were under agreement to sow Indigo; I was not. I was made to sow by compulsion, and since last year, I parted with my cattle. I was cast in damages of 120 rupees for six beegahs of land. I had not a farthing.

Astul Mundul, inhabitant of ———, Thannah ———, Factory ———, Concern ———, at present a resident of the Kishnagur Jail, called in, and examined on oath, 14th July 1860.‡
Witness deposed as follows:

I and five others were sued for breach of contract. We were all cast, but the

* Indigo Commission, Evidence at Kishnaghur, pp. 53.

† Indigo Commission, Evidence at Kishnaghur, pp. 53.

‡ Indigo Commission, Evidence at Kishnaghur, pp. 54.

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others managed to get the money together, and thereby got off. I was cast in a sum of 110 rupees for five beegahs and a half. I understood that there was an order that it was *optional* with us to sow or not to sow, and as I considered that I was not under agreement, I did not sow. My cattle and property have been sold and realized only thirty-two rupees, and I lie in prison for the balance. I heard that my property had been sold from some villagers who came here; I was sent off to prison as soon as the decree was passed against me.

Did not Mr. Furlong with the Commissioner of the division go to the jail, and offer to forego his claim, if you would sow?

Yes, sometime ago we were called into the cutcherry and told to *sow a little Indigo, and so get our release*, but we said, we would rather be killed with bullets, than sow again. We thought that some Sahibs would come up from Calcutta and release us.

The Hon'ble *Ashley Eden*, at present Magistrate, Collector, and Salt Agent, Cuttack, 21st July, 1860.*

Witness deposed as follows:—

I was first appointed Assistant Magistrate and Collector of Rajshahy, and, for a short time, had charge of the Sub-division of Nattore in that district; I was then appointed to the Sub-division of Aurungabad in the district of Moorsshedabad; I was then employed on special duty, and then made Deputy Commissioner of the Sonthal Pergunnahs, and was next appointed to be Magistrate and Collector of Baraset. Then I officiated as Junior Secretary to the Board of Revenue, and this year I joined my appointment as officiating Magistrate and Collector and Salt Agent of Cuttack.

I always endeavour to *mix as much as I could with the people*, to ascertain their views upon all subjects; and, in the districts of Rajshahy, Moorsshedabad and Baraset, I had ample opportunities of ascertaining, both from the natives and the planters, the working of the system.

My opinion is that with the exception of Factories which have a large extent of *chur* lands cultivated, Indigo cultivation is in no instance the result of free agency, but that it is always *compulsory*.

Will you state to the Commission as fully as you can, the facts, proofs, or reasons which have induced you to hold this belief?

First, I believe it to be *unprofitable*, and therefore I cannot believe that any ryot would consent to take up that cultivation, involving as it does serious pecuniary loss to himself; secondly it involves an amount of *harassing interference* to which no free agent would subject himself; thirdly, from a consideration of the acts of *violence* to which the Planters have throughout been compelled to *resort to keep up this cultivation* as proved by the Criminal Records of Bengal; fourthly, from the *admissions of the Planters* themselves that if the ryots were free agents, they would not cultivate Indigo; fifthly, the necessity under which the Planters state themselves to be of spending large sums in the purchase of Zemindaries and other descriptions of rights, giving them *territorial influence and powers of compulsion, without which* they would be unable to procure the cultivation of Indigo; sixthly, the statements of ryots and the *people generally* in the district in which I have been; seventhly the fact, that as soon as the ryots became aware of the fact that they were by law and practically free agents, they at *once refused* to continue the cultivation.

I beg to hand in an abstract of forty-nine serious cases of *murder, homicide, riot, arson, dacoity, plunder and kidnapping*, which have occurred from the year 1830 to 1859, some of which I have taken from records which came before me during my incumbency; others from printed Nizamut reports, and *all from authenticated papers*. I also give a file of heinous cases connected with the cultivation of Indigo, which occurred previous to the year 1810, with a view of showing that on the commencement of the system of private trade in the interior of the country, these acts of violence were resorted to, and in consequence of those acts, five Europeans were punished, and deported from the country: and the Government, in a Circular Order of the

* Bengal Indigo Commission, pp. 1.

62 Magistrates & Judges' evidence before the Indigo Commission in 1860.

20th July 1810, considered it necessary to warn the Magistrates, to check the system of forcing the cultivation by means of advances on ryots.

These cases do not in any way represent the total amount of such outrages that have been committed during the period embraced. The greater part of the selected cases of which an abstract has been given are only those of so serious a nature as necessitated a reference to the Sudder Court either on account of the severity of the penalty involved or in appeal on points of law. My own opinion is that not *one tithe of the offences actually committed ever came before any Court at all*; of those which are actually brought up by the Police very many are disposed of by the Magistrate himself; another of a more serious nature are decided by the Sessions Court without reference to the Nizamut.

I believe that deeds of the violence of those noted in the abstract filed are not frequent, but still they are such, as to keep up and perpetuate a feeling of *terrorism* without which, in my opinion, the cultivation of Indigo could not be carried on for one day. Any act of great violence, committed in any district, such for instance, as the attack of the village of ———, in the district of Rajshahye, in the concern of Messrs. ——— in which *three villages were gutted, three cultivators killed, and six wounded*, would be enough to *strike terror into the hearts of the ryots*, in that part of the country for many years to come, and it is only when the ryots have *forgotten* such acts as these, that any fresh violence of this sort is necessary.

When I went to the ——— Sub-division I found that it was the *custom to carry off the cattle of the ryots who would not sow Indigo*. It having been brought to my notice that a great deal of suffering was occasioned to the ryots, by the sale of their cattle in the previous year, I instituted enquiries and having ascertained one of the places in which the cattle were kept, I sent out a party of Police, and released from one of the out-factories about 2 or 300 head of cattle which even *when brought to my own house the ryots through fear of the Planter were afraid for several days to come forward and claim*.

In such instances as you have mentioned, was it not a gross dereliction of duty on the part of the Government not to prosecute the Europeans?

There certainly was a failure of justice which, in my opinion, may, to a certain extent, be attributed to the strong *bias*, which the Governor and many of the officers of Government have always displayed in favor of those engaged in this particular cultivation; this may also partly have arisen from the difficulty which exists under the present law of *obtaining a conviction against Europeans*, as for instance in the case in which a Planter, named ——— *alias* ——— was murdered by a European Planter named ——— a French Planter named ——— and some native servants, in which the ——— and the natives being amenable to the Courts of the country, were imprisoned for life, whilst ——— the European British subject, not being subject to the jurisdiction of the local Court, was tried in Her Majesty's Supreme Court in Calcutta, and was *acquitted on precisely the same evidence as was brought against the foreigners and natives who were convicted in the district Court*; the sentence being upheld by the Nizamut Adawlut.

Then you consider that in that case justice was obtained in the Mofussil Courts and *denied in the Supreme Court*?

I consider that the Judges of the Court of the Nizamut Adawlut are fully as competent to come to a decision on the evidence before them, as a Calcutta petty Jury. I shall therefore consider that in this instance a failure of Justice occurred in the Supreme Court.

I believe the establishment of the numerous Sub-divisions throughout Bengal has had the effect of decreasing violent open outrages of every description, such as *affrays*; but the seizing of ryots and the confinement within the Factory walls, has in my opinion, *increased* as violent overt acts have decreased.

You have mentioned generally that *European Planters are practically never punished for acts of violence*; is it that prosecutions are instituted

by the Mofussil authorities, and fail in the Supreme Court, or is it that prosecution is not attempted; and if the latter be the cause, what is the reason?

Prosecutions are scarcely ever attempted. The reason of this is partly because Mofussil Magistrates know the difficulty of procuring a conviction in the Supreme Court, partly from great unwillingness among prosecutors and witnesses to subject themselves to the liability to come to Calcutta to attend the Supreme Court, and to a great extent to the bias in favor of the Planters, which has been too frequently displayed by men in all positions from the highest officers of the Government down to the lowest.

As an officer of Mofussil experience, what do you consider to be practically the difficulties of prosecuting the Planters before the Supreme Court; or how do these difficulties arise?

It never fell to my lot to have to commit any Planter, but judging from my experience as a Justice of the Peace, in obtaining convictions against Europeans, I consider that very great practical difficulties exist. For instance I have committed Europeans to the Supreme Court the bill has been thrown out by the Grand Jury under circumstances which led the Government to direct a recommitment on the same evidence. The evidence was described by the Advocate General as being of the most clear and conclusive description. The parties were re-committed on precisely the same evidence, and were convicted and sentenced. In another case, I committed an officer for trial for manslaughter. The officer admitted before me having committed the assault, which led to the man's death. The medical evidence showed that although the man was in bad health, yet his health had been hastened by the injuries he had received. The grand jury threw out the bill; and it is in cases like these that disheartened Mofussil Magistrates from committing Europeans to the Supreme Court.

Then do you consider that the Government Officials have sacrificed justice to favor the Planters?

I consider that it has frequently been the case, and I have stated so in official reports.

Is it not the case that if a native gentleman and an European gentleman, a British subject, were found guilty of a similar offence before a Mofussil Magistrate, the former might be sentenced to imprisonment, whereas the latter might get off by paying a fine to the extent of 500 Rupees?

If an English gentleman and a native gentleman were placed side by side in the same case, I hardly think that any Magistrate could punish them in a different manner, but in similar but separate cases, I think that it would frequently happen that a native gentleman would be imprisoned, whereas the European would only be fined, because the Magistrate has not, except in particular cases, the power of imprisoning an European.

As far as I am myself concerned, I would sooner be tried, if innocent, in the local Session's Courts, with an appeal to the Nizamut, than in the Supreme Court. If guilty, I would prefer the Supreme Court and a Calcutta Jury.

The people of Bengal are naturally patient in enduring oppressions. Years of tyranny and oppressions have taught them to bear every wrong without resistance. Their feelings have taken the form of sullen morose hate, rather than active opposition. These pent-up feelings have now for the first time found a vent.

Ryots, from whatever causes it may have arisen, have certainly all along believed that Government and Government officials were interested in the cultivation of Indigo, that they were so strongly prejudiced in favor of the Planter, that it was useless to complain. The ryots were unable to understand, how a man living in terms of the greatest intimacy, and in daily communication with the Planter, was capable of deciding cases justly; cases in which the interests of that Planter were concerned. Whatever may be the impartiality of the individual Magistrate, it would be difficult

61. *Magistrates & Judges' evidence before the Indigo Commission in 1860.*

to persuade an uneducated native that intimacy of this description would not bias a Magistrate in his official acts. This intimacy has very often, it may be, without the knowledge of the Planter, been made use of by the factory servants as a means to accomplish their wishes. Again, facilities of complaint have been afforded to the Planter by the higher authorities from which the ryots are altogether excluded, and I believe it to be the case that this privilege has been made use of, to influence such higher authority against such of the local authorities as may have shewn a disposition to do justice between man and man. And there are cases, in which the removal of officials has been attributed by the ryots to the influence brought to bear by those in the interests of the Planters against such officials.

Can you mention any cases within your knowledge, in which officials were either interfered with or censured or removed for alleged bias against Planters?

————— was removed from ————— for giving an order protecting the ryots against the forcible entry of the Planter. My predecessor at ————— was complained of for saying that it was optional for ryots to sow Indigo or not, and was censured by the late Lieutenant Governor. Of this last case I have no knowledge except what was derived from the Planters themselves, and from the people who still believe him to have been removed for protecting them. In my own case, I was, on private representations made by Planters reprimanded and interfered with by the Commissioner. Representations were made to the Government for my removal on the ground that I had told the ryots that the cultivation of Indigo was optional. And three petitions were presented by parties of influence in Calcutta within a few months, demanding my removal on this account, and I had considerable difficulty in defending my own position and upholding my independence as a Magistrate.

My own experience leads me to believe that fear of the planters' influence and fear of the representations he may make to their official superiors, render the Police very apt to side with the Planters' people when the opposite party were poor natives. My great difficulty has always been to get the Police to act boldly and straightforwardly in cases of this sort. I have frequently had to find fault with the Police for displaying an unjustifiable bias in favor of the Planter.

The refusal to cultivate Indigo is in Baraset nothing new. So long ago as the year 1855, a former Magistrate, Mr. Mangles, having expressed an opinion (in certain cases connected with the cultivation of Indigo) that the ryots could not legally be compelled to take advances for the cultivation of that crop against their wishes, the result was, that the ryots having discovered this, at once threw up the cultivation, and the out-turn of the concern for that year was only sixty-five maunds. Complaints were made to Government by gentlemen at Calcutta connected with the Indigo trade, and it was stated by themselves, that Mr. Mangles was reprimanded for having told the ryots that the cultivation was optional; whether this reprimand was actually administered or not I cannot say; but the result was, that on Mr. Mangles leaving the district immediately afterwards, the ryots understood him to have been removed for affording them protection, and they again were afraid to resist the endeavours made by the Planters to force this cultivation upon them, and sowed Indigo that year to a small extent. The subsequent year being the year of the mutiny, and there being strong reasons to believe that the natives of ————— were impressed with a great dislike of planting, and as they had on a previous occasion (about 1832) actually attacked the Factories under the leadership of Titoo Mir, the Planters on this occasion were afraid of similar attacks, and applied for and obtained a special guard, for the protection of their lives and property; the consequence of which was, that the ryots that year being afraid of being charged with intimidating and opposing the Planter, sowed a moderate quantity of Indigo. In a subsequent year however, a question having arisen as to the right of the Planter on an *ex parte* allegation that ryots were under advances to him, to enter himself upon the lands of such Planters and cultivate their Indigo, I expressed a strong opinion that the land being the property of the ryots and not of the Planters, the Planters had no right whatever on any such plea to take possession of the ryots' lands, and that the Magistrates were bound in case of such trespass to protect the ryots in their possession. On that occasion my views were not upheld by the Commissioner, and I was directed to induce the ryots of

Mr. ——— to sow their Indigo. I went to the spot and the ryots sowed. Next year I was determined to bring the question to a practical issue, and a similar question having arisen, I again gave the same order to my subordinates to afford protection to the ryots, in the event of the Planters' servants entering violently into their lands to sow there a crop which the ryots objected to. My orders were again upset by the Commissioner (Mr. ——— case of 1858-59,) and I was reprimanded. I remonstrated, and the result was the correspondence in the Blue Book in which *my order was finally upheld*. Early in 1859, Mr. ——— and Mr. ——— having complained to me that their ryots refused to take advances to settle the accounts for the past year, and having requested me to use *my influence to make them take advances*, I stated my inability to do so, and told them the only way of inducing their ryots to sow or to enter into the cultivation, would be by *offering them a remunerative price*. Instead of doing this, they complained to the Lieutenant Governor, Mr. Halliday, and the result was an interview as described in the Lieutenant Governor's Minute, page 151 of the Blue Book. After this I drew up a vernacular paper, or *rubakari*, which is given in page 156 of the Blue Book, and the ryots then learnt that it *really was optional* for them to enter into contracts or to refuse to do so. The fact that it was optional, spread generally throughout the district, and ryots came from Jessore and Kishnaghur and took authenticated copies of my order, knowing that the effect of the intimation would be, to spread gradually throughout Bengal, a knowledge of the fact that it was *optional* with ryots to enter into the contracts or not, as they thought fit. I apprehended that the result of such knowledge would be to put a stop to the *forced system* then existing. I thought it necessary to obtain the sanction of the Commissioner previously to granting such copies. The *rubakari* was issued on the 20th Feb. 1859.

That Parwanna was not issued with my knowledge as explained in my letter to Government. A natural consequence of the ryots finding that they were *really free agents*, and that for the *first time* for a *long period of years*, there was an inclination displayed by the *authorities* to afford them that *practical protection*, which had all along been theirs by *law and theory*, was, that they refused to sow, and appealed to the authorities for protection from force. I do not believe that, as has been stated by the Planters and others, the ryots ever believed that it was the wish of Government that they should *not* sow Indigo, but I believe simply that they believed it to be *optional*. I may add, that I long foresaw that such a crisis was at hand, and in the late great rise in the price of all commodities, and the labor market, nothing short of *military force* could have for any period compelled the ryots to continue the cultivation of the crop, which though always distasteful to them, had latterly involved a pecuniary loss, which they were unable to bear.

Were there any peculiarities in the Baraset district which might make the ryots more keenly alive to their own rights, compared to the ryots of other districts, say for instance, Pubna and Moorshedabad, or even Jessore and Kishnaghur?

• Baraset is a Suburban district. The ryots are the most intelligent set of ryots that I have ever met with, in any district. They have constant communication with the merchants in Calcutta, and know all that is going on in the neighbourhood; being *Shara-wallas* (or Ferazees), they have a complete *organization*, and *frequently meet together to interchange ideas*. On account of the great influx of troops into the large Military Stations of Dum-Dum and Barrackpore, as well as in Calcutta, the value of the produce of their lands has greatly increased; a considerable manufacturing population has even sprung up in the district, for the purpose of supplying the demand for *gunny* and irrespective therefore of the increased demand for export crops, they have also had to supply a surplus for the population laboring for wages in the manufacture of *gunny*, and on the rail-road which is being made in the district. It should be recollected that every two maunds of rice or seed exported from this country, requires a gunny bag, and they have therefore had a ready sale for the *jute* employed in making these bags. The rise in the labor and produce market has of course made it still more distasteful to the ryots to have to give up a portion of their land to *unprofitable crops*. In addition to this, Baraset which is a small district, has three Sub-divisional Magistrate's Offices, in addition to the Sudder Magistrate's Office;

66 Magistrates & Judges' evidence before the Indigo Commission in 1860.

it has therefore been easy to control the police, and the people have had to go but a short distance to get a hearing for their complaints.

In the districts in which I have been I have never seen *schools* or *dispensaries* or other establishments erected by Planters, but I believe it is the habit of every Planter as well as of every Englishman to have a *family medicine chest*, out of which he no doubt may give an *occasional dose* to a ryot, but from my knowledge of the ryot I am of opinion that a *dose of medicine is considered as anything but a collateral advantage*, and I cannot think that any amount of medicine would be considered by them as an equivalent for loss of liberty and money which the Indigo cultivation involves. I have heard that in Mulnath, Nischindpore and Salgamoodia there are dispensaries kept up by Planters, but even these would not compensate the ryots of Moorshedabad and Malda for the losses which they sustained by the cultivation of Indigo. I have heard of *occasional loans* been given, without interest, on the loss of cattle and other accidents of that description, but they are *always carried to the ryot's indigo account*, and I knew of roads having been made by Planters between their out-factories, and in such places as without such roads the plant could not have been brought into the Factory, but I can call to my mind no single instance of a road being constructed for the public good.

Although I have no doubt, that there are many individuals who have done great good and rendered assistance to the authorities, yet as a general rule, I do not think the residence of Indigo Planters has improved to any great extent the physical or moral condition of the people. I believe there are to be found more *bad characters settled around Indigo Factories, than in distant villages in which an European has never been seen*. My remarks do not apply either to silk manufactories or rum distillers or Sunderbund settlers; of the latter of whom I had a great many in my district, but against whom I never had a single complaint. I allude only to the Indigo Planters who, as a rule, live in *constant antagonism with the people around them*; a state of things which cannot conduce to the peace of the country.

W. J. Herschel, Magistrate of Kishnaghur, called in and examined on oath, 9th July, 1860.*

Witness deposed as follows:—

Latterly my attention was generally drawn to the subject of Indigo Cultivation, and in the year 1855, a Planter told me, that it was absurd to think that the Ryots made any profit out of Indigo.

When in the Malda district, were you ever called upon by the Ryots to give them protection against Indigo Planters?

I was called upon by the friends of two Ryots, to release them after having been carried from Moorshedabad to the district of Malda, and I think, I was called upon to prevent their cattle being carried off.

Will you state the result of the abduction of the two Ryots?

I released the men from the Malda district. They had been imprisoned in a factory. The evidence in the case implicated Mr. ——— personally, and I issued a warrant for his arrest. Owing to an irregularity in the process the case was brought before the Judge, who pronounced it illegal; and the Magistrate of the district at the time, at once struck the case off, or acquitted the defendant, I forget which. This would not have been the case, if an appeal from my proceeding had not been made to the Government by Mr. ——— direct, as the case would then have continued in mine own hands, and I could have completed the evidence.

You took charge of the district of Nuddea, both as Magistrate and Collector, on the 20th of last February, will you describe as fully

* Bengal Indigo Commission, Kishnaghur, pp. 3.

Magistrates & Judges' evidence before the Indigo Commission in 1860. 67

as possible the state of the Ryots as regards Indigo and Indigo Planting, as it was then and has since been brought to your notice?

With the exception of the Sub-division of Santipore, and two Thannas on the Bhagirutti, the whole of the rest of the district was very strongly *excited* on the subject of Indigo planting. There appeared among the Ryots a *general sense of approaching freedom*. They behaved as if about to be released from something *very oppressive*, and as if impatient of the slowness of the process. One general idea seemed to prevail, that the cultivation of Indigo was stopped by the orders of the Government, and a good deal of irritation seemed to prevail, because they thought that this order, according to their ideas, was not carried out. Since then the idea has been entirely abandoned, and a very enlarged view of their rights has been acquired by the Ryots; and generally speaking, they seem to have stood upon those rights with *moderation and firmness*.

During your incumbency, have you observed whether the Missionaries have at all attempted to influence the Ryots either one way or another?

I have never had the slightest intimation of the kind, either one way or the other during my incumbency.

Are you in a position to suggest any measures, whereby the cultivation of Indigo, as between Planter and Ryot, may go on more smoothly in future?

I can suggest nothing but *justice* between the two parties.

*Edward De-Latour, Esq., C. S., Civil and Sessions Judge, 24-Per-
gunnahs, called in, and examined on oath, 30th July 1860.**

Witness deposed as follows:—

Shortly before, Mr. ———'s factory, at ———, had been attacked and burnt down, his *gomashtha*, called ———, was carried off by the ryots, and up to the time of the disposal of the case at the Sessions, no information as to what had become of him, had been received. And in a word, that district was as thoroughly disorganized as it was possible for a Bengal district to be. I found about the end of 1846, the hand of the Planter *systematically* lifted up against the life and property of the ryot; a system that appeared to me neither to recognize the existence of a *Magistrate on earth, nor of a God in heaven*. I found a total absence of ordinary justice. I believe as far as I can judge from the records of the case, the outrage on Mr. ———'s Factory originated in the *total denial of ordinary justice*. My meaning will be clear if I refer the Commission to page 47 of the authorized report of the trial of Dudu Meah and his followers in 1847. In Dudu Meah's defence after referring to a series of false actions instituted against him by Mr. ——— and which had been dismissed, he refers to an attack made by Mr. ——— his *Gomashtha*, and certain Babus, accompanied by a force of seven or eight hundred men, armed with guns and other weapons, upon the actual residence of Dudu Meah himself. In *Bhadro* his house was broken into, four of his servants murdered, others severely wounded, and his house and property to the amount of twelve lacs of rupees were plundered; the bodies of the slain removed, and the Darogah sent in the wounded persons, as part of an unlawful assemblage. They were forwarded to the Magistrate, and one of them named Amiruddin, died in hospital. The Magistrate *did not investigate* this, but not to be too lengthy, it would appear that terms of compromise were discussed, to which the *Magistrate was more or less a party*. And Dudu Meah *seeing no means of coping with the said gentleman*, Mr. ——— consented to a compromise. Dudu Meah said in his defence that the Magistrate recorded a proceeding, and got him to sign it. He then sent an English letter and a

* Bengal Indigo Commission pp. 57.

Paribanna to the said gentlemen and the Babus. "They have ruined me of wealth, life, talooks, lands and houses, and have made me an outcast from my country." To these proceedings I attribute the retaliation upon Mr. ———'s Factory in the December following. There is one more point which I would prominently notice. The Magistrate himself went to the Mofussil, *dined* with Mr. ——— in his tent, and after *some consultation*, and after taking the deposition of some of his creatures, and without judging the case, committed Dudu Meah.

With reference to what has been stated above, I would wish to bring prominently to notice the system that prevailed, and may or may not prevail still, of European British-born Magistrates, *associating with prosecutors and others having cases in those Criminal Courts upon terms of social and familiar intercourse*. It appears to my mind to be utterly repugnant to every sense of duty, to be disgraceful to the character of a British Judge. It utterly destroys every feeling of confidence in our Courts in the minds of the natives, for what native will bring forward his case when he sees under his own immediate eyesight, such instance of *moral corruption in a British Magistracy*; and well might Dudu Meah complain of his committal *after Mr. ——— dining with the Magistrate in his tent, who refused to enquire into the attack on his own house*. Such was the disorganized state of Furreedpore, when it was either my misfortune, or my good fortune, to be sent to that district. I had to solve this problem, *whether justice was not better than soldiers. To have continued the previous system, would have led to an insurrection in that district which would have probably involved all the Factories in the Eastern Districts in Bengal*. And the steps that I took were the simple steps that any Magistrate would take. That is, to punish every ruffian, black or white, without exception. I have brought with me, to save the Commission needless recapitulation, copies of my proceedings in the various cases in which Indigo Planters were brought to *punishment* by me in 1848. In these different cases, a system *utterly disgraceful to any one calling himself an European* may be brought to light. Cases of *kidnapping* by Mr. ———'s Assistants. A case of kidnapping by Mr. ——— and the conviction and imprisonment of Mr. ———, an Assistant in the firm of Messrs. ———. I first put in my report to Mr. Dampier, Superintendent of Police, No. 246, dated 29th May, 1846. The case originated in that revolting practice, if I knew a worse term than revolting, I would use it, of sending in an armed force to plough up and destroy the home cultivation of the ryot, and upon the remonstrance of the ryots that *cowardly ruffianism that spears the ryots down on the spot, and then plunders the village*.

What could be the feeling of a retired citizen at Brompton, finding the owner of a gas factory, wanting to make a short cut to his factory sending in two or three hundred sappers, who begin to smash his conservatories, cut down his apple trees, destroy his fences and injure his crops, and to hear in justification that a *Magistrate* had told him he might do so. Comparing little things with great, that was exactly what a Planter was doing.

The next case will show how *some planters endeavour to make false criminal charges a means of obtaining leases*. In this case Mr. ——— was the person principally concerned. It turned out that the active parties in getting up the false charge were the factory servants; Mr. ——— then being ill. The worst feature in that case is, I consider, Mr. ———'s willingness to relinquish the prosecution, provided the party gave him a lease for Indigo land (No. 93.) I beg now to put in the sentence of my Court of the 19th August 1848 upon Mr. ———, an Assistant of Mr. ———, for kidnapping ———. He was sentenced to pay a fine of five hundred rupees, and in the event of the fine not being realized, he was sentenced to imprisonment in the Furreedpore Jail for a period of one month; I also put in letter No. 327 to show the *latial practice*, and that I *could not send a witness from my Court, without his being intercepted by the Planter*. There is one thing more I wish to state, that considerable odium has been thrown on the Missionaries for saying that "not a chest of Indigo reached England without being stained with human blood." That has been stated to be an anecdote. That expression is mine, and adopt it in the fullest, and broadest sense of its meaning, as the result of my experience as Magistrate in the Furreedpore district. Speaking of that experience in England four years ago, I stated that the result of my experience as a Magistrate in Furreedpore led to that conclusion. I have seen several ryots sent into me as a Magistrate, who have been

spearred through the body. I have had ryots before me who have been shot down by the Planter. I have put on record to-day how others have been first spearred and then kidnapped; and such a system of carrying on Indigo I consider to be a *system of bloodshed*. I hold now depositions in my hands independently of those already filed, which will show how the Planter accompanied by a fleet of fifty or sixty boats attacked the village of ——— how several men were shot down at the time; how Mr. ——— was himself one of the party who did it; how the men were stowed away into the deck of the boats removed to the factory, had such shots picked out of them, as could be picked out; how the men were removed to places of imprisonment in the Dacca district, and kept in confinement until the man prosecuting the case was compelled to give in a *razuamah* (acquittal).

The Commission has been told by Planters' witnesses of ryots' signatures being taken to a blank stamp paper; first that enables the dishonest Planter, who is a disgrace to the brotherhood of Planters, to seize upon any land of the ryots that he chooses; second, it enables the Factory to fill up a bond of the year 1850, which any Factory *Gomashla* could put in a suit and prove by hired witnesses; therefore the ryot who signs a blank stamp is in every sense, the *merest slave* of the Factory. Such a system I consider something worse than dishonest. It lies at the root of all the dissatisfaction of the ryot.

Do you not think that the cunning, fraud, and perjury of the Bengal ryots is often more than a match for the asserted violence of the Planter and conducive to it?

I think that the character of the ryot not improperly described in the question addressed to me, is *mainly owing to oppressions*, not of to-day or yesterday, but as long as there have been ryots. Whether such idiosyncrasies can compete with or match any active oppression, may or may not be the case. I know that oppression is never necessary, that sooner or later it carries with it its own reward.

It is not the presence of the capitalist that, I as a Civilian, object to, but to the *absence of the capitalist* in all such Factories and the day which substitutes the *real capitalist for the speculative owner*, will be one of the greatest advantage to British India. The Factory stands mortgaged as security. The produce of the current season is mortgaged over to the Calcutta firm, and the debt in the books of the Calcutta firm, is what the ryot is in the books of the Factory; with this distinction that the one gets an account and the other does not. I am of opinion that with reference to the immense increase in the value of any other kind of produce, no system of legislation compatible with common equity, can maintain such Factories, the resources of the Planter being altogether circumscribed, and that the moment such Factories are closed, and in their stead the *bonâ fide* capital substituted, will be a day of great advantage to India. My remark only refers to Factories bought on *borrowed capital*.

I consider the offence of *kidnapping* as common to both Planter and Zemindar, it is the customary resort of the violent and the oppressive, be he white or be he black. These cases that I have submitted as evidence, will shew that where parties have been wounded, the common practice is to carry them off and shut them up, until their relations prosecuting the charge agree to withdraw their prosecutions.

James Horatio Reily, at present Commissioner of the Sunderbunds, called in and examined on oath, 27th June, 1860.*

Have you any facts within your knowledge which would show how the cultivation of Indigo was from 1838 to 1846, regarded by cultivators or by landholders?

In part of the district of Jessore where land is high, and better fitted for the cultivation of rice, the ryots I observed generally disliked the cultivation of Indigo. But

* Bengal Indigo Commission, pp. 249.

70 *Magistrates & Judges' evidence before the Indigo Commission in 1860.*

in parts of the district where there are alluvial formations such as *churs* and light soil, Indigo was not so unpopular. In fact, I remarked that in those parts where the land was high, it was impossible to grow Indigo, unless the Planter possessed zemindary influence. In my time, it was the object of every manager of a factory, to acquire zemindary rights either temporary or permanent as he could. On the high lands, the Ryot's objections were that rice was profitable and Indigo was not, and rice cultivation entailed less inconvenience. The ryots objected to the system of advances; that they were given to them at a season of the year when they were in want of money, and they were thus tempted to give up more land than they could well afford to do; and that a *large percentage* of the advances was intercepted by the factory servants. I have been present when advances were made by the Planter or assistant to the ryot, and I have been told by the ryots that they were afterwards made to give up a portion to the servants; the said servants, threatening to impound their cattle if they refused to do so or otherwise to oppress them. The ryots also objected, that they had no option in giving up their lands for Indigo cultivation. The best lands were marked off by the factory servants. Their time for several months was also not then at their disposal; they were called upon to plough, sow, weed, and cut and convey Indigo to the factory, and were at the beck of the factory servants; it was also urged that Indigo was a very precarious crop. For five bad Indigo seasons the rice crop failed but once; and they also complained of unfair measurement in the delivery of the plant to the factory; that the chain was drawn over the tops or leafy part of the plant, whereby *three bundles went to one*; these were the chief grievances.

I don't think that indigo cultivation has raised the *moral* character of the ryots. Some planters have done a great deal of good within the sphere of their operations, but I cannot say so of indigo cultivation in *general*.

In your former experience, were any schools or Dispensaries maintained by planters?

Not in Jessore. Planters gave medicines when the ryots came to them; but there was no regular Dispensary.

Was not the expenditure of such a large sum as the annual indigo outlay beneficial to the district?

It tended to the security of the Government revenue, and it afforded employment to the people; but as I have before said, I do not think the cultivation of indigo has improved the general condition of the ryots; for instance, in Backergunge where there is no indigo, the ryots are *better housed, and better clothed*, than in Jessore.

Planters' admissions against the Indigo System.

The Indigo Commission Report states on this head:

60. That the cultivation of indigo is *not* profitable to the ryot on the terms heretofore existing. We think it absolutely essential, for a right understanding of the whole subject, at this stage of our report, to draw His Honor's special attention to this fact; and that it is a fact not to be disputed or questioned, we shall now show, not from the evidence of exasperated ryots relating their grievances, or from that of the gentlemen who have testified in their behalf, but from the *admissions of the planters themselves*, or of those who have spoken somewhat on this side of the question.

61. It is admitted, then, by one planter, Mr. J. P. Wise, (A. 30), "that the ryot takes very little interest in his indigo crop," and presently by the same witness (A. 120) "that indigo at present is not so profitable to ryots as other crops;" by a gentleman who has had experience as a Magistrate of a large indigo district, that *the crop is unproductive*,

and that "hitherto the planter has taken upon himself too little of the risk, and left too much of the risk with the ryot" (A. 273); by an old planter of large experience that "the risk is, no doubt, with the ryot" (A. 372) and (A. 374) that "the ryot, generally speaking, does not produce enough to cover his advances; by a gentleman who was a planter formerly, "that the cultivation is not popular because it is not profitable, and the ryot has to bear the whole brunt of the risk" (A. 513); by another gentleman, that *nij* is more profitable to a planter than "dissatisfied ryots, who give a great deal of trouble, and cost a great deal of money;" by a gentleman who has a large *nij* cultivation, "that even were a beegah of indigo to pay better than a beegah of rice, the ryot would give a preference to the rice" (1,453); by Mr. Larnour, "that indigo may not be profitable or popular in some places," (2,161); by Mr. Clarke, that the ryot "will sow a small quantity to please his zemindar, although he may not gain much profit by it," (3,443); and generally, by planters and by zemindars of experience in *ryotti* cultivation, that the cultivation is not directly remunerative to the ryot; but it is pleaded that this is to be attributed mainly to bad seasons, high prices, and the precariousness of the crop. In mitigation of this charge, too, it is urged, that it has still been found comparatively easy to satisfy the ryot, and to keep him contented and faithful to his engagements, by the grant of what have been termed collateral advantages; and even with the above disadvantages, several ryots, working honestly and faithfully, have cleared their advances, and received large payments in excess. This last averment is quite true, but it is also true that by the practice of the factories, some ryots who *might have cleared themselves are nevertheless kept in debt*, because it would seem, when their delivery of indigo would suffice to clear their balance, the planter prefers to pay fresh cash to the ryot for the indigo, and retain the old balance against him.

VII.—MISSIONARY TESTIMONY AGAINST THE • INDIGO SYSTEM.

• An *Essay on the Influence of the system of Indigo Planting on the spread of Christianity* was prepared by the Rev. F. Schurr, of the Kishnagar Mission, for the general Conference of Bengal Protestant Missionaries at their request and read before them, September 6, 1855, forty-two Members were present:—*

"The planting of Indigo, in the districts of Nuddea, Jessore and Pubna, is another protected system, where individuals profit by the poverty and misery of tens of thousands.

"In these districts, the planters invariably try to obtain zemindary rights, by either purchasing or leasing estates. These obtained, they are the feudal lords of the ryots and their lands. It is therefore not to be wondered at, that on such estates the

* Proceedings of a General Conference of Bengal Protestant Missionaries, 1855, pp. 87, *Calcutta Christian Observer*, Oct. 1855.

evils of the zemindary system are aggravated rather than diminished. *If the planter enjoys the friendship of the Civil Servants, he can oppress, imprison and ill-treat the ryots with impunity. By some planters' orders, villages have been plundered and burned, and individuals killed.*

"The planter holding a talook, considers himself entitled, by his zemindary rights, to force every ryot to sow indigo on any of his lands, and to any amount. The ryots consider it cruelly unjust, that they should be compelled to cultivate on land, for which they themselves pay the rent, a crop which yields them no return, and thus merely to labour for those with whom *might is right*; they must do this sometimes on land, which belongs to other zemindars, who refuse to lease it for the cultivation of indigo. The ryot who dares to refuse meets with severe punishment; and the zemindar is frequently ruined by either lawsuits or affrays.

"In order to have a legal hold on the ryots, advances are made to them, but on most they have to be forced. If once in the factory-book, there is no chance for a ryot to get out of it again; for a constant balance is kept against him, so that even an appeal to the law would not liberate him. I know instances where ryots went with the money in their hands to pay their balances, but their offers were refused.

"Indigo, in lower Bengal, does not pay the ryot, and is a forced cultivation. It has been computed that the money advanced, or otherwise allowed for indigo, barely covers the expense of cultivation to the ryot. Be the produce ever so good, the planter's servants always manage to divide the profit among themselves, and the only loser is the defenceless ryot.

"The best land is selected for indigo; frequently the ryots bribe the servants to substitute inferior land. If the cultivation paid them, no such intrigue would be required, for they are wide awake to their own interests; but the indigo not procuring them even the salt for their rice, they are compelled to look out for their subsistence from the other crops they cultivate. On these alone they can rely, and it is their interest to retain their best lands for them. If the rice crop fails, the misery is indescribable. In many parts they have to cultivate half their land for indigo, yet it would be hopeless for them to fall back on the out-turn, in case the rice should fail. In bad rice-seasons, they must have recourse to the mahajan, or money-lender who exacts no less than from 30 to 75 per cent. Even the richest harvest will scarcely cover the debt accumulating by compound interest, and the poor fellow is hunted by the mahajan in the Moonsiff's court, and oppressed by the indigo cultivator, and by these two evils he is frequently crushed.

"In many localities they complain also of unfair measurement both of the land and its produce. This greatly aggravates the evil. If a piece of land measures six beegahs, the ryot has to pay six rupees rent for it; but by the indigo measurer it is but three or four beegahs. The ryot loses therefore in two or three ways. He has to pay the full rent, whilst he receives a smaller advance for indigo, that is, only 6 or 8 rupees instead of 12; and the land for his own crops is greatly curtailed; for the planter asks, 'How many beegahs does he cultivate?' Answer: twenty. 'Let him sow six beegahs of indigo.' These nominally six beegahs, however, are equal to ten, so that half his cultivated land is gone. For these ten beegahs he must toil in ploughing, sowing, weeding, cutting and carrying the produce to the factory, and at the very best, his return is but a fraction.

"Besides this, the seasons of sowing and reaping the indigo and rice almost invariably coincide. The ryot of course neglects that crop which yields him least, and never attends to indigo, unless he is forced. But not unfrequently he losses the proper season for his own crops, whilst he is forcibly kept, with bitter feelings, in the indigo fields, and thus he becomes a double loser.

"Besides these evils, I might mention that most of the factory expenses fall upon the ryots, that the servants oppress and exact without mercy, and so on; but this may suffice to show, that the *helpless and oppressed condition of the ryots calls loudly for sympathy from the philanthropist, and for justice from the Government.*"

II.—*Injustice in the system of the Indigo Planters.*

"Being surrounded by Indigo Planters in this Zillah, the ryots of each village are forced to take advances; if a ryot refuses, lathials are sent, numberless as locusts, and his cattle are impounded and carried to the factory, or the factory's ploughs are

sent, and the ryot's recently sown rice is ploughed up, and indigo sown by force? from fear of this, the ryots rather yield to the evil, and take the advances, though with reluctance. When advances are made, the ryots receive two rupees per beegah, but from the time of leaving the factory, to cutting the crop and carrying it to the vats, there is nothing but giving salamis and bribes, and thus all the money goes away. For to the Dewan eight annas have to be given for salami; to the Ameen and Dagiddar eight annas each; to the ticcah Dagiddar four annas; and at the manufacturing time some eight annas must be given to the various servants. Besides this, if a bullock strays into the indigo, the ryot has with folded hands to pay a fine according to their wishes. If the ryot does not submit to all this, he cannot cultivate any land for the support of his family, nor can he remain in his native place, but must flee from village to village.

"Even when there is a full crop on the land, for which the advance was made, the amlahs, at the time of the accounts being made up, manage to pay only a fourth part of what is due; consequently the advance not being balanced, the ryot has to sow again each successive year for the debt carried against him, and he has to sell other crops or produce, in order to pay the rent for this very Indigo ground, otherwise he will be beaten to death; besides, all the labour of the ryots for indigo is lost labour. It is owing to this oppression and fruitless labour, that the ryots are so very poor. We know to a certainty, that for the fertility of the ground, and the industry of the peasantry in Bengal, the latter could rise to opulence, if no one deprived them of the fruit of their labour; and they could with ease pay the government taxes.

"Besides this, the planters have also thousands of beegahs of *Nj abád*, (i. e. their own cultivation) within the borders of each factory. For cultivating this, they send lattials to each village, and bring the ryots with their ploughs and bullocks there without paying them; in like manner they force them to house the Indigo without due remuneration. If a poor man refuses, either because he has to attend to his work, or because he has nothing to eat, unless he gets his day's hire, he is shamefully abused and beaten and forced to go. Coming home at night, nothing remains for him and his starving family, but lamentation, because without his daily wages they cannot live."

*The Calcutta Missionary Conference and the Indigo Question
in 1860-61.*

Conference Meeting, April 5, 1860.—Reference was made in the Conference to the proposal just made by Government for a Committee of enquiry into the Indigo system.

Messrs. Sale, Hill, and Long were appointed by the Conference, a Sub-committee, to watch the question.

Conference Meeting, May 8.—Mr. Sale reported to the Conference that a memorial on the Indigo question had been sent in by the Sub-Committee to the Lieutenant-Governor and he himself had been appointed on the Commission. The Conference approved of the memorial being sent and appointed Mr. Cuthbert in Mr. Sale's room.

Conference Meeting, November 6, 1860.—The Report of the Committee on the Indigo Question was submitted to the Conference in the following minute, and it was unanimously agreed that the Conference adopt the Report, and offer their thanks to the Committee for their diligence in watching the question; and in particular that their warmest acknowledgments be presented to Mr. Sale for his very valuable and efficient services as one of the Members of the Indigo Commission.

*Report of the Committee of the Calcutta Missionary Conference appointed to watch and report on the Proceedings of the Indigo Commission and approved of by the Calcutta Missionary Conference, Nov. 6, 1860.**

On the appointment of your Committee in April last, one of their first acts was to address a letter to the Lieutenant-Governor of Bengal, stating the grounds of their interest as *Missionaries* in the appointment of a Commission to inquire into the working of the Indigo system, and expressing their hope that every means would be adopted to allow the *full disclosure of opinion and complaints on the part of the ryots*. They also had an *interview* with the Lieut.-Governor on several points relating to the efficiency of the Commission.

Before the Commission sat, they met several times with bodies of ryots who had spontaneously come to Calcutta seeking for redress, and they used their influence with them to exhort them to *peace* and obedience to the laws, assuring them that the authorities were fully disposed to do justice to all parties.

During the sitting of the Indigo Commission, several of your Committee, as far as time allowed, attended the sittings, in order to show their *sympathy with its great object*, and they are glad to record their opinion of the impartial manner in which the Commission conducted its proceedings, and of the absence of a spirit of acrimony on the part of any Commissioner.

Your Committee here beg to record their thanks and obligations to their brother Sale for the cheerful and prompt way in which he complied with the wishes of your Committee and consented to act as a Commissioner, when, on the principle of impartiality, the Government expressed a desire that a Missionary should sit on the Commission. Mr. Sale's regular attendance and influence on behalf of the "dumb ryot" has been very useful: it has shewn the ryot that *Missionary sympathy* was on his side, and has tended to raise the question out of one merely of Rupees to its bearings on the social, intellectual and religious elevation of the down-trod peasant.

In connection with this your Committee would here beg to record their decided conviction, that though the active part taken by several Missionaries on this Indigo question has given offence, yet they have reason to know that the advocacy by Missionaries of the cause of the feeble and friendless ryot, even against their own countrymen, has had a most favourable effect on the minds of natives, both educated and uneducated, in Calcutta and in the Mofussil towards Christians and Christianity.

They beg here to make an extract from the Report of the Indigo Commissioners on this question, as being a full vindication of the course they have taken:—

"120. We come now to the last point of our inquiry under the first great head, viz. the conduct of the Missionaries and the crisis of the past season. A great deal of indignation has been evinced at Rev. Gentlemen, whose errand is to proclaim peace and good will, taking on themselves the character of *political agitators*;

* Calcutta Christian Observer, December 1860.

' certainly, if to express dislike of what they deem oppression, when *forced* on their notice, and to stand up for the rights of those who have had *no tongue* to plead for them be to carry on agitation, the Missionaries of the Church Missionary Society have done this. But, in so doing, they had no private interests to advance, and no political object to gain, except the contentment and well-being of the agricultural population: objects which, if *political*, any man, however, *sacred* his calling, may fairly exert himself to forward.

"121. That Ryots should ask these gentlemen for advice or even assistance, is, in our opinion, perfectly natural. They, the Missionaries, are thoroughly conversant with the languages. They mix freely with the people. They hold converse with them on their highest interests, and they are not distracted, like other Europeans are seen to be, by the accumulation of business, by the speculations of commerce, or by the pursuit of trade. It would have been ungenerous and even *unmanly* for Mr. Blumhardt and his colleagues to turn a deaf ear to the complaints of such ryots, especially when these very complaints appeared to them to form some hinderance to the attainment of the avowed objects of the Missionary calling.

"122. We have, too, the distinct denial of these Reverend gentlemen, that they have, by words or deeds, added any fuel to the excitement. On the contrary they have advised the ryots to *obey the laws*, to commit no illegalities, to sow indigo this year, and, if oppressed, to appeal to the higher authorities. What more Christian or straightforward course could have been taken by men in their situation, it is not easy to conceive. Indeed, the assertion that the refusal of the ryots to sow indigo has been produced by the preaching of Missionaries, is one entirely without foundation of truth.*

In taking these steps the Missionaries have, as to general objects and philanthropic intention, only followed the course adopted by Dr. Philip and the London Missionary Society's Missionaries in South Africa with respect to the Dutch boers—by the Baptist and Wesleyan Missionaries in Jamaica in relation to the Sugar Planters—and by the Church Missionaries in West Africa with reference to the Slave Trade.

Your Committee are fully convinced that the Indigo Report recently published has thoroughly substantiated the charges advanced against the Indigo Planting system. *Five years* ago at a Conference of Bengal Missionaries it was shewn to be a *forced* system of cultivation, which consequently cannot generally be carried on in Lower Bengal without having recourse to *fraud and oppression*.

Your Committee beg to conclude with the expression of their firm conviction, that though incidental evils may arise in breaking up the existing Indigo system, yet they look forward to it on the whole as tending to elevate the ryot from a serf to the condition of a man, and so producing a desire for educational and other improvement. It will shew him and his children's children that the *Missionaries* have been his disinterested friends, while it will remove one great barrier to the preaching of the Gospel, viz., Europeans engaged in acts of oppression, which ignorant natives bring forward as a proof that the *precepts of the Bible cannot be realised in practice*.

Petition of Missionaries in 1861 to the Legislative Council against a renewal of a Penal Contract Law.

RESPECTFULLY SHEWETH,

That your Petitioners have on several occasions presented peti-

* Report of the Indigo Commission, pp. 30—31.

tions both to the Executive Government and to the Legislature respecting public measures that affected the condition of various classes of the community, especially where the peculiarities of that condition have had an important bearing upon the progress of Christianity, to promote which your petitioners have come to India.

That they have heard with considerable surprise that a Bill has been suddenly introduced into the Legislative Council for rendering certain breaches of Contract in agricultural matters *criminal* offences; and that, taking this measure in connection with the Report of the recent Indigo Commission, they judge that it is chiefly directed to the support of the cultivation of *Indigo*.

That when a similar law was enacted many years ago, it was found to press very unfairly upon one class, the agricultural population, and was speedily repealed.

That the experience of the like Act of last year, which on all hands is allowed to have borne *very hardly* on the same class, has shown, that apart from all question as to the abstract merits of the Act in theory, the *peculiar* circumstances of the people of this country render it difficult if not impossible to administer it equitably in *practice*; especially when as a summary Act no appeal is allowed from its decisions.

● That the Report of the recent Indigo Commission and their minutes of evidence have proved in the most ample manner that to the agricultural population *Indigo has been, for a long series of years, a most unprofitable cultivation, not voluntary, but to a large extent compulsory; and that the ryots have the heaviest grounds of complaint against the system.*

That in the judgment of your petitioners no guarantees appear to have been yet offered to the Government that in future that cultivation shall be so conducted as to render it profitable to the cultivator, and secure his *free agency* therein; and that therefore, to commence legislation on the matter by preparing pains and penalties for a class already deeply injured, when it is only fair prices for which they plead seems, to say the very least, premature.

That, without entering into the general principle of the Bill, or urging the objections entertained by modern jurists against visiting with criminal penalties breaches of merely civil contracts; or arguing that a very large portion of the agricultural population are not *mere laborers*, but possess lands, cattle, and implements of their own—your Petitioners would urge that the passing of this Bill at the present juncture may only tend to complicate existing difficulties, and further to *endanger the peace of the country*, by exciting new fears respecting the future in the minds of the people, already embittered by the experience of the past.

On these grounds, your Petitioners respectfully pray; that should your Honorable Council see reason to pass this Bill at all, its enactment may at least be delayed until sufficient guarantee has been given, that the *acknowledged evils* of the Indigo system shall be remedied; that the terms on which contracts for Indigo produce are made shall be

made just to *both* parties; and that such contracts shall be made with the *free* and intelligent good-will of the cultivators. They at the same time beg permission to express it as their conviction that, while wise measures may tend to mitigate existing evils, no *effectual* remedy can be found for their removal, except in the intellectual, moral, and spiritual, improvement of the *masses* by a course of sound Christian *education*, which your Petitioners will do their utmost to promote.

(Signed) by DR. DUFF and eleven other Missionaries.

CALCUTTA, March 13th 1861.

At a Conference of Church Missionaries from Burdwan, Krishnaghur and Calcutta held in Calcutta, Nov. 27, 1860, the following resolution was passed:—

Much time has been occupied in previous meetings of the Conference in discussing questions connected with the *oppressions* suffered by the *peasantry* of a large portion of the country through the operation of the prevailing system of *Indigo planting*. Recent events however, the appointment by Government of a special Commission to enquire into the matter, and the results attending upon the step, have already effected considerable relief. The brethren therefore record an expression of their thankfulness to the great ruler of all things who through the rulings of His Providence has brought these events about and they earnestly pray that the good which has been produced may be permanent, and that a cause of *just complaint against the proceedings of European Christians* may thus be done away and a *hinderance to the progress of the gospel* removed.

T. SANDYS, *Chairman*.

VIII.—EXTRACT FROM LORD CANNING'S AND SIR C. WOOD'S DESPATCHES.

To the Right Honourable Sir Charles Wood, Bart., G. C. B., Her Majesty's Secretary of State for India.

Home Department, Camp Kuttra Moharree,
29th December, 1860.

SIR,

2. In this paper (the minute of the Lieutenant Governor of Bengal) the Lieutenant Governor has dealt with the subject fully and clearly. I can add nothing to the succinct history which he has given of the system of indigo cultivation in the lower provinces of Bengal, and I agree generally in his reasoning and conclusions.

3. I entirely agree in the opinion that the cause of the evils in that system is to be found in the fact, that under it the manufacturer has required the ryot to furnish the plant for a *payment not nearly equal to the cost of the production*; and I concur in the opinion, that it is to the *system*, much more than to the planters individually, that blame attaches.

Upon a careful retrospect, it appears to me that the only reproach to which the Government is justly open in its treatment of the two classes, planters and ryots, is that of *having left the ryot too long in ignorance of the protection which he might claim against the proceedings*

78 Lord Canning and Sir C. Wood against the Indigo System in 1861.

of any planter who had bound him by unreal obligations, and who had enforced these by unlawful means. The Lieutenant Governor is quite justified in saying that our administration of the law has *not* been impartial. The evidence taken before the Indigo Commission shows what the nature of the above-mentioned obligations and means has been, and how they have been used, especially by the native servants of the factories; and I am sorry to say that it does not show that the ryots have been adequately defended against them.

In this respect the Government has long been in fault.

4. No one who reads the Evidence recorded by the Commission will fail to see that, having regard to the *strong feeling evinced by the people against the cultivation of indigo, and to the reasonableness of that feeling*, the Government would have been unfaithful to its duty if it had not made known to the ryots exactly their position under the law. He will see that any attempt on the part of the Government to persuade or reconcile those ryots to sow, even for one season, who were not bound to sow, would have been liable to *very dangerous misinterpretation*. And if he will refer to the Lieutenant Governor's minute of the 17th of September, describing the scene through which Mr. Grant passed about that time in Nuddea and Jessore, he will find that although it was the *peaceful* people of Bengal with whom we had to deal, and although they were quite orderly and respectful, their conduct demonstrated unmistakably that to endeavour to stint or delay their exercise of free judgment in disposing of their land or labour, might have led to *consequences much more disastrous than any partial discouragement of the growth of Indigo*.

To me it appears that there was only one fitting and safe course for a Government to take in such circumstances—to speak the truth plainly and fully to both sides; to warn both; and to be prepared to enforce order with a strong hand.

CANNING.

From W. GREY, Esq., Secretary to the Government of India, Home Department,—(No. 1287, dated the 17th May 1861.)

FORWARDED to the Government of Bengal for information.

From the RIGHT HON'BLE SIR CHARLES WOOD, BART., K. C. B., Secretary of State for India, to his Excellency the Right Hon'ble the Governor General of India in Council,—(No. 63, dated London, the 8th April 1861.

2. The labours of the Commissioners* have extended over some very important fields of inquiry. The Commissioners have brought together a large and valuable mass of evidence on many points connected with the *social condition of the peasantry* of the Indigo Districts in Bengal; and they have

* Mr. Seton-Karr, C. S.

„ R. Temple, C. S.

Reverend J. Sale.

Baboo Chunder Mohun Chatterjee.

Mr. W. F. Fergusson.

very properly, given prominent attention to the relation existing between the Planter and the Ryots, and to the elucidation of that which is, in fact, the gist of the whole question namely, whether the *cultivation of Indigo*, as recently carried on in Bengal, is *profitable or unprofitable to the Ryots, and therefore free or forced*.

3. I entirely concur with the Commissioners with the Lieutenant-Governor of Bengal and with your Lordship, that the evidence taken before the Commission, *including that of the Planter himself*, is conclusive as to the fact that the cultivation was *unprofitable* to the Ryot, who was required to furnish the plant at a price which, with the extra charges to which he was subjected, did not reimburse him for the cost of production.

4. The *unwillingness of the Ryots* to cultivate Indigo was the natural consequence of the *unprofitableness of the cultivation*. The testimony to the *compulsory* character of the system, as it recently prevailed in Bengal, is *abundant* throughout the Minutes of evidence which follow the Report of the Commissioners. And it is not surprising that, when once the Ryots were made aware that they could not legally be compelled to undertake this cultivation, they should have expressed their resolution to abandon it, and to turn their lands to more profitable account.

5. There is nothing in the volume comprising the proceedings of the Commission which more painfully shews the evils of the Indigo system, as carried on in Bengal, than the evidence contained in them of the *oppression practised upon the Ryots, and the amount of violence and crime to which it has given rise*. That many of the Planters are kind and considerate in their treatment of the people, and have exerted themselves to repress the prevalence of such practices, will readily be admitted. It is in evidence, however, *that kidnapping, confining and removing Ryots from place to place, were offences of no uncommon occurrence*, and that up to a very recent date, indeed within the last few months, cases of the kind have been reported by the Local Government.

6. It has been alleged that the want of a good Police, and a more

“When matters come to this, that the assistance or support of the Police can be purchased like any other article, it is quite clear that the advantage will remain with the party who has the *freest hand and the fullest purse*; and it is surely not contended that in this respect, the Planter is at a disadvantage with the Ryot, or lies at his mercy.”

+ 650, 853, 859, 931, 1,001 1,006, 1,339, 1,754. •

perfect administration of justice, has been greatly to the prejudice of the Planters' interests. But whatever may have been the inefficiency of the Police and of the Mofussil Courts, the remark of the Commissioners at paragraph 112 of their Report, as given in the margin, is fully borne out by the evidence taken before them.†

7. On a careful consideration of the evidence which accompanies the Report of the Commissioners, I cannot avoid the conclusion arrived at by your Lordship, that the Ryot has been left too long in ignorance of the protection which he might claim against the proceedings of any Planter who had bound him by unreal

obligations, and who had enforced them by unlawful means; and further, that the Ryot has not been adequately defended against the Native servants of the Factories by the Government and its *Officers*.

8. I have further to express my entire concurrence in the opinions expressed by your Lordship, and by the President in Council, that the conduct of the *Bengal Government*, and of its Officers generally, in the transactions under consideration, has been marked by a *strictly impartial administration of the Law*; and that the *Lieutenant-Governor* was justly entitled to the full and cordial support afforded to him by your Lordship in Council.*

11. There is evidence on record,* given by men of intelligence and experience, to shew that, if fairly treated, the Ryot will readily act up to his agreement, and that, in regard to Indigo, it is the unprofitableness of the contract which has led to evasion on the part of the Ryot.

12. Again, the experience afforded by the operation of the Law of last year (Act XI. of 1860), for the summary enforcement of Indigo contracts, shews the danger of transferring to the *Criminal Functionaries* matters which more properly belong to the jurisdiction of the *Civil Courts*. Hundreds of Ryots were thrown into Jail for wilful breaches of contract under circumstances which, considered in the light of the proceedings of the Local Government, and of the Reports of some very able Officers in the Indigo Districts, are calculated to lead to the presumption that not a little injustice has been done, in consequence of some *Magisterial Officers not fully inquiring into matters urged on behalf of the alleged defaulter*, which would have been fully investigated in a Civil Court, and which, if proved, would have been a complete answer to the case for the prosecution.

13. The true remedy in such cases is not to be found in a resort to legislative measures, which by making the Ryot criminally punishable for the breach of a Civil contract, may operate unfairly towards any other creditors who may have claims upon him. It is rather to be found in dealing fairly by him and in making him feel that a violation or evasion of his contract will involve the loss of what is advantageous to himself.

* In April last the Indigo Planters memorialised Sir C. Wood endeavouring to show that Indigo Planting was not unprofitable nor oppressive to the ryot, to this Sir C. Wood, replied by reiterating the assertion in paragraph 8 of the above despatch, adding "a considerable portion of the memorial is occupied with endeavouring to show that the cultivation of indigo by ryots, as carried on in Bengal, is profitable to the ryot. That the reverse however is the fact, is not merely the opinion of the Lieutenant-Governor, but the conclusion at which the whole of the Commissioners have arrived, on a mass of evidence including that of some of the planters themselves, which appears to Sir C. Wood to leave no room for doubt on that point."—Editor.

APPENDIX A.

J. B. MONEY ON INDIGO CULTIVATION.*

Former Mode of establishing a New Indigo Factory.—The men who formerly established new indigo factories in Bengal were like the American pioneers to the far West. They had an unpleasant task before them, only to be achieved by determination, by *reckless treatment of the Natives*, and by disregard of consequences either to others or to themselves. If successful, the speedy results made a valuable property, which could be sold high to the more quiet and respectable members of the community who followed.

Some strong-bodied, energetic Anglo-Saxon, with a *due contempt for niggers*, and a little money of his own, would go to some agency or other house of business for the necessary advances. The house knew the *process* he would have to go through, but that was *his* affair, not theirs. If his character led them to think he would succeed, they made him the advances, at high interest, for the benefit they were to derive from the sale of his indigo.

With this borrowed money he would go and settle on the selected locality, buy or lease a bit of land, and build on it a house for himself, and out-houses with vats for the manufacture. He would then apply to the peasants on the surrounding estates to enter into contracts to plant indigo for him, and would have it intimated to the Zemindar, or Native landlord, that he was prepared to make such advances to the ryots or Native cottiers as would enable them to discharge all arrears of rent.

The zemindar would probably send for the ryots, and command them to take the planter's money, and pay their arrears. The ryots might perhaps object that the planter would only advance the money on their entering into contracts to plant indigo at prices less remunerative than rice, and which would, perhaps, not leave them land enough to grow rice for themselves, or not give them enough money both to buy rice and pay rent.

His only lawful resource, therefore, was the hopeless attempt to recover damages from paupers. If he submitted to that course, he was ruined and laughed at. Zemindars and ryots knew that he was embarked on a sea of litigation, where all the chances of perjury and forgery, as well as the probable sympathies of the judge, were in their favour. At the best, he must eat his heart out with protracted litigation, which, even if successful, would bring him no solid compensation. The attempt to establish a new indigo concern had failed. He lost the confidence of his employers, or of those who had made him advances, and was soon turned out of his house and factory by their foreclosing their mortgage against him, and putting some other adventurer into his place to try and recover their money.

* *Java or how to manage a Colony*, by J. B. Money, vol. i. pp. 142.

But he generally either foresaw this result or had it explained to him. His Anglo-Saxon energy would then make him prefer *the more hopeful but lawless process of helping himself*. He collected bands of latteals, or fighting-men, numbers of whom are to be hired in all parts of the country. *Under their guard, his servants pulled up the rice and planted in fresh indigo seed.* The zemindar would see that his influence and rent were equally in danger. He also collected latteals, and sent them and his men to pull up the indigo and re-plant rice, which the planter's people and his latteals would equally resist. A pitched battle would ensue, where *some perhaps would be killed and more wounded.* The police hearing of the affray, the darogah, or head of the police station, and perhaps the magistrate, would go on to the spot and make a local investigation. The ryots, the planter's and zemindar's servants, and probably the zemindar himself, would be seized, together with as many of the latteals on both sides as had not made themselves scarce. The *planter* would remain at liberty, for, being a *European*, he was not subject criminally to the mofussil or provincial jurisdiction. The zemindar and the servants on both sides, the ryots, and the latteals would be kept in arrest till tried for the affray, and then mostly be sentenced to further long terms of imprisonment.

The *high interest and other charges of agency houses from whom the planters derive their funds*, and the uncertainty of the indigo crop in Bengal, partly from natural causes and partly for want of Government support, prevent the planters generally from paying to the ryots enough to make the cultivation of indigo more profitable than rice. The planter is also cheated in every possible manner.

APPENDIX B.

THE PROSECUTION OF THE REV. JAMES LONG.

About six months ago, when the Indigo controversy was at its height, a copy of a Bengali drama called the *Nil Darpan* was sent to the Rev. James Long of the Church Missionary Society, who was then out in tents in the Baraset district. The work appeared to represent the Native opinion on the Indigo system, and a desire was expressed by several persons of influence that it should be translated and published.

Mr. Long had previously distinguished himself by his zeal and industry in the work of improving the popular Vernacular Literature, and had, on many occasions, called the attention of Government and of others to the immense and growing importance of the *Native Press*. His connection, therefore, with this work was nothing remarkable. He and others regarded it as an expression of Native opinion, and believed that it was necessary that the Indigo question should be

* From the Calcutta Christian Observer of August 1861.

judged not solely by the arguments, or in reference to the interests, of the Planters and the papers that espoused their cause, but also with due reference to the *feelings and interests of the cultivators of the soil*.

When the work was translated *at the request* and published at the expense of the Secretary to the Bengal Government, about a dozen copies were sent from the Bengal Office to persons in India, and about a hundred and fifty copies were sent home. All these were sent out under the Government frank. This was a grave indiscretion, and the Planters who had been watching very eagerly *took advantage of it*. Their first course was to denounce the drama as infamously obscene, so that they excited a strong prejudice against it, and against those who were charged with putting it into circulation; and then they declared it to be grossly libellous, and thus they checked its circulation. No one, after that, was disposed to give away any copies; and the mass of the undistributed copies appears to have remained in the Bengal Office. *Very few persons therefore have seen the work*: most men *take it for granted* that it is as foul and as obscene as the newspapers represent. But in fact it is not so. The original contains many most objectionable passages, but such passages are far too common in all *Oriental* works. Nearly all of these seem to have been *struck out by Mr. Long* from the translation, and very little remains to warrant the censure. But in the native author's preface there remained a short passage referring to the Newspapers that supported the Planters, and inferring that they were paid to do so.

The landowners' and Commercial Association (in which the Indigo Planters' Association is merged) met, and resolved to pay for an indictment of the printer. This was said to be done as a preparatory measure with a view to indict afterwards those who had employed him. They seem, however, to have thought that, as regards the Planters, there was very little ground for a prosecution, as they used the name of the Editor of the *Englishman* as the person aggrieved, and in their indictment based their principal count on the passage in the preface which we have mentioned. This was certainly strange; for the *license* the local press had taken in discussing the Indigo question was such that nothing more unlikely could be conceived than the appearance of the Editor of one of the *Calcutta papers* as complainant against others. There must have been great mistrust of the other charges against the *Nil Darpan*, or this course of putting forward the *Englishman* never would have been adopted.

The printer on being indicted gave up the name of Mr. Long. Mr. Long never had concealed his connection with the work, and he authorized the printer to say so. Soon after, Mr. Long published the following statement:—

STATEMENT BY THE REV. JAMES LONG.

1. Great publicity having been given to my connection with the publication of a translation of the *Nil Darpan*, I beg leave to submit a brief statement on the subject for consideration. I have to apologise if this statement appears *egotistical*—but it is written in *self-defence*. I have been assailed by name, and with *great virulence*, by the newspapers that support the *Indigo system*, during the last fifteen months, and within the last few weeks I have been threatened with a prosecution for libel by the

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proprietor of the *Englishman* and by the Planters. I write therefore to explain my true position.

2. During the last ten years of my residence in Calcutta I have been led by circumstances to take a very deep and active interest in that which has excited much attention of late in England—the *Vernacular Press*, as an exponent of the views and feelings of the masses, and as a medium for working on those masses for their improvement. I have also been in connection with the Vernacular Literature Society during the last eight years, as well as with the great cause of Vernacular Education.

My peculiar position in Calcutta has brought me more in contact with the native press than other Missionaries, and this has led me as a member of the Christian School Book and Vernacular Literature Societies, to compile three volumes in Bengali of Selections which I made from the native press. I have also had to examine various Bengali manuscripts, and to edit works.

While occupied in this manner, my duties to the south of Calcutta and itinerant work in other districts, have brought me into close intercourse with the *agricultural* population and have forced practically on my notice their wants and woes. I have there a class of teachers and readers whom I am educating through the *Vernacular*; for these I must provide mental food; and thus my Missionary position, as well as my intense conviction of the paramount importance of a sound indigenous literature, has compelled me to attend so much to Vernacular publications.

I have reason to believe that my humble efforts in this cause have not been without success, and I have been much encouraged by letters received from Missionaries, Civilians and intelligent natives on this subject. In fact at the present time it is evident, there is a wide and increasing sphere of usefulness in working the native press. I have been frequently applied to by Rajahs and others to send them a collection of useful Bengali books for libraries, and in many other ways I have laboured to make known the resources of the native press.

3. I have never received, nor would I take from Government or any other party, one cowrie as pay for services in this way—looking on them as part of my work—as a branch of Missionary literary work. Government, however, have encouraged me by publishing some of my Reports on the Native Press. In 1855, they published in the Selections of the Bengal Government my “Return of Authors and Translators in Vernacular Literature, &c.,” of this 800 copies were printed by the direction of Sir F. Halliday; and of my “Classified Catalogue of 1,400 Bengali Books and Tracts” (which was also published in 1855) 300 copies were subscribed for by Government, so that the work paid its expenses. Of my Returns relating to the Vernacular Press in 1859, Government also published 500 copies. I have reason to know that there have been of use to the friends of Missions and of Education in India, England, and even in Germany, and that they have called serious attention to the subject of the native press.

4. At my suggestion, the Hon’ble Mr. Beadon, when Secretary to the Bengal Government, issued orders requiring *annual returns* of the Vernacular publications in Bengal. I strongly urged on Sir F. Halliday, when Lieutenant Governor, the appointment of a *curator of the native press* to supply full information respecting its progress; a proposition that met his full concurrence and was only rejected by the Supreme Government on financial grounds. In my examination of native books I was struck with the open way in which *obscene* books were sold, and the number that were thus put in circulation in Calcutta. I therefore brought the subject before the Legislative Council, and a law was passed on the subject, which has worked well in this city. A Bengali *Education Gazette* has also been established, and I had much to do with the procuring for it the pecuniary support of Government. This has proved a very useful means of diffusing sound information among the native population.

The constant activity of the native press has led me to urge on Christian men in every way, both by pen and word, the pressing need of a Christian Vernacular Literature, and of Vernacular Education. An appetite for knowledge is arising, but the people must have healthy food. It may be said, why should a *Missionary* meddle with these things? The simple answer is, that there appeared to be scarcely any one else who took sufficient interest in them, and few who had from circumstances such facilities as I had for gaining information. I should have been very thankful if a layman had been available to relieve me of such duties.

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In connection with this subject, when new vernacular books of special interest appear, I am in the habit of sending them as *indices of the native mind* to Missionaries, Educationists, and Government Officials, without reference to the *correctness* of the sentiments of the works, in order that such persons may observe the *current of popular feeling*. Thus, two clever works in defence of Hinduism appeared about two years ago in Calcutta. I sent notice of them, and nearly every Missionary in Calcutta purchased copies.

Six years ago the late Court of Directors sent orders to Calcutta to provide for the India House Library copies of all original publications in Bengali. I was asked to procure them, and I did so. It is only a fortnight ago since, at his request, I sent to Professor Williams, the Boden Sanskrit Professor of Oxford, copies of all Bengali translations of Sanskrit texts. I have had books sent, in the same way to Benares, Midnapur, Burdwan, and various parts of Bengal.

5. With the same view of *making known the tendency of the native mind*, I have inserted from time to time in the *Hurkaru* newspaper, articles called "the Spirit of the Native Press," and with the *same object* I brought to the notice of several parties, last year a Bengali Drama called the *Nil Darpan*, which *though highly coloured*, appeared to give the *Native* view of the effects of the Indigo Planting system. The dispute had hitherto related to the opinions of Civilians, Merchants and Missionaries, but some were anxious to know the tone of the native press on the subject. This work was already in circulation among the Native population, and several persons expressed a desire that it should be translated, for the information of those to whom it was of importance to understand native feeling. It was as an illustration of native feeling, and not for the purpose of controversy, that attention was attracted to this publication; but of course in a work like this Drama, which, as stated in the Introduction, is *avowedly published to depict the Indigo system as viewed by the Natives at large*, there are statements and passages which the purer and more refined taste of an European would reject. Every man, however, who is acquainted with Oriental literature, knows how prominent these defects are in many Oriental works of high reputation. In the *English* translation of the *Nil Darpan*, the *coarser passages were expunged or softened*, and I regret that any that have given offence should have been inadvertently allowed to remain. But any one who will take the trouble to examine the original will find that a good deal has been omitted. With reference to the passage in the native author's preface as to two newspapers, insinuating that they were under the influence of the Planters, I never could have imagined that any English reader would attach importance to the imputation. The insignificance of the sum mentioned as the incentive, (a thousand rupees or £100,) seemed to exhibit at once the *folly* of the charge as applied to newspapers of wide circulation.

That my motive in undertaking to pass the translation through the press was not malevolent, may be inferred from the conclusion of the Introduction written by me. "It is the earnest wish of the writer of these lines that *harmony may be speedily established between the Planter and the Ryot*, that mutual interests may bind the two classes together, and that the European may be in the *Mofussil* the protecting *Aegis* of the peasants, who may be able to sit each man under his mango and tamarind tree, none daring to make him afraid." I would also refer to my evidence given before the Indigo Commission in which I admitted the improvement of late years in the character of the Planters, and expressed my view that the controversy should be confined to the evils of the *system*.

6. I myself believe thoroughly in the truth of Lord W. Bentinck's maxim "India must be managed at present by Native agency under European Superintendence." But in order to maintain that European superiority, and on the principle of *fas est ab hoste doceri* I believe it would be most useful for European of *all classes* to see themselves now and then in the mirror of the Native Press. Lord W. Bentinck thought so, when he allowed its criticisms on himself and his administration,—"*Considering it was an index and safety valve for the public mind.*" So did the Marquis of Hastings when in 1818, he patronised the Serampore *Darpan*, by allowing it to circulate for one-fourth the ordinary postage. That paper was under Missionary management and often contained extracts from Native papers freely criticising Europeans and Government. I remember reading in old numbers of that paper, translations of most bitter satires from the *Bhaskar* and *Chandika*, one part of which represented an Eng-

lish *Judge drinking brandy on the bench*, and speaking a language none could understand, while his amihals were busily engaged receiving bribes. The late Rev. W. Morton, a Missionary, frequently made translations from the Native newspapers, giving extracts *hostile to Missionaries* and others. I was requested three years ago by the Missionary Conference of Calcutta, to compile a tract giving the opinions of the Native Press for and against Christianity, in order that Missionaries might know the real state of the Native mind.

That this regard to Native opinion is not inconsistent with a *zealous support of British interests*, may be proved by a reference to the Hon. F. Shores' most valuable "Notes on Indian Affairs." No one more boldly advocated the settlement of Europeans in India thirty years ago than he did, and no one more ably pleaded for their services being used by the State as Justices of the Peace, yet few men ever dwelt more faithfully on the effects produced on the Native mind by the *misconduct of his countrymen*.

7. It is said that to meddle with such subjects as Indigo is not consistent with the character of a *clergyman*. I would ask, is not the preservation of *peace* in India one of his duties? Here in this country is a small number of Europeans in the midst of a vast body of Natives. Few of the former know anything of the Native language, or of Native feeling; a volcano may be forming beneath their feet, and dark clouds may be gathering on the horizon of India. Is the *watchman* then who gives warning to be counted an *enemy*? If a clergyman knows of a state of Native feeling that may *end in bloodshed*, is he to give no *information* of it? It is admitted that in the Indigo districts there *was* and is a state of feeling of this sort. How is it to be brought to the notice of officials and men of influence, to put them on their guard? Surely the Native press well indicates what is going on beneath the surface, and is one of the safest guides to genuine Native opinion. I solemnly declare that I know nothing more important for the future security of Europeans in India and the welfare of the country, than that *all* classes of Europeans should watch the barometer of the Native mind. I feel strongly that *peace founded on the contentment of the Native population* is essential to the welfare of India, and that it is folly to shut our eyes to the warnings the Native Press may give. The late Hon'ble J. Wilson felt that the views of the Native Press were deserving the notice of even the highest authority, for he organized as an essential part of his official establishment, the office of a *paid translatorship* which supplies the authorities by means of translations, with the views of the native press in Bengali, Urdu, Persian, Tamul, &c., on Government Financial measures,—I have lately read in those translations some bitter philippics against Government measures. The Bombay Government obtains information respecting the native press from the Persian Translator's Office, and I have reason to believe that ere long similar measures may be sanctioned by the Government of India for Bengal. The Lieutenant-Governor in his recent letter to Mr. Fergusson, Secretary of the Indigo Planters' Association, says, referring to this *Nil Darpan*, "How can the knowledge of respectable officials or other European gentlemen of the existence of such indications of popular feeling as this, be anything but a security against actual sedition and breaches of the peace?" Well, would it have been for India had the mutterings of the native press been earlier attended to before the *mutiny*? They were neglected and men *slept quietly over the brink of a volcano*. *Had translations been made from the native press, of the Agra Presidency, indicating the state of feeling towards Government a year before the mutiny, and had these been communicated to official and other influential persons, it is possible that Europeans might not have been taken so unawares with all their arsenals in sepoy hands*. I was in the Agra Presidency a few months before the mutiny, and was much struck with the contempt with which influential parties regarded any indications of native opinion as expressed by the native press. Similarly in 1853 when exploring the lanes and gullies of Delhi, in search of Vernacular books, I was impressed with the prodigious activity of the Moslem mind, and I left Delhi with the intense conviction that the *combustible materials* were gathering and only required the *match* to be applied to them.

8. A Missionary is pledged—in fact it is his work—to rear an indigenous Christianity. I have seen with deep sorrow how much of our Mission work in Bengal, is still too much of a *hot-bed system*, maintained at a *heavy cost by the funds of foreigners*. Christianity has as yet made comparatively little way among the rural

population of Bengal. In my own observation and experience one of the most prominent causes appears to be the mental, moral and social degradation of the ryot; and here I must reiterate what I wrote in the Introduction to the *Nil Darpan*. "Attention has of late years been directed by Christian Philanthropists to the condition of the ryots of Bengal, their teachers, and the oppression which they suffer, and the conclusion arrived at is, that there is little prospect or possibility of ameliorating the mental, moral, or spiritual condition of the ryot without giving him *security of landed tenure*. If the Bengal ryot is to be treated as a serf, or a mere squatter, or day-labourer, the missionary, the schoolmaster, even the Developer of the resources of India, will find their work like that of Sisyphus—vain and useless. Statistics have proved that in France, Switzerland, Holland, Belgium, Sweden, Denmark, Saxony, the education of peasant, along with the *security of the tenure*, he enjoys on his small farm, has encouraged *industrious, temperate, virtuous, and cleanly habits, fostered a respect for property increased social comforts, cherished a spirit of healthy and active independence, improved the cultivation of the land, lessened pauperism, and rendered the people averse to revolution, and friends of order. Even Russia is carrying out a grand scheme of self-emancipation in this spirit.*"

It was the conviction that certain *social evils* were great obstacles to the diffusion of the Gospel, which led the Church Missionary Society and its friends to take an active part in promoting the abolition of the slave-trade in the West Indies and West Africa, and in the protection of native rights in New Zealand, and which induced the Baptist and Wesleyan Missionary Societies to wage a crusade against West India Slavery, though their Missionaries were imprisoned by the Planters in Jamaica and other colonies. The same views have led Christian Churches in America to raise their voices against slavery.

9. While I regret that through *inadvertence* remarks by the *native* author at which offence has been taken, were allowed to remain in the preface of the *Nil Darpan*, I am thankful that there is little likelihood of a recurrence of similar inadvertence in connection with individual European responsibility, as I trust that ere long the Government will have one of their own servants employed with a suitable establishment for the purpose of keeping the authorities acquainted with native opinion in its bearings on general questions. But while I regret the publication through *inadvertence* of any expressions or passages that have given offence, I must be allowed to add, that it does seem strange that any complaints on this subject should proceed from those *Calcutta newspapers* that have supported the Indigo system, or from the Planters who circulated "*Brahmins and Pariahs*,"—for I think that I may appeal to any man who has resided here since the beginning of 1860, and ask if he remembers in the *annals of modern controversy, greater virulence and bitterness than the organs of the Planters have exhibited in their repeated attacks on the Government, the Missionaries, and those officers of Government with whose measures they have been dissatisfied*. I might append to this statement numerous most violent and acrimonious extracts from those papers, and leave all candid men to judge if the liberty of the press has not been abused, and if *native writers have seen in their European contemporaries any example of moderation*. In my own case and in the case of Mr. Boniwetsch, some of our friends wished actions for libel to be instituted, but we have been content hitherto, as the officers of Government have been, to bear the revilings of those journals in *silence*.

10. It has been alleged that I vouch for the *entire truth of every statement in the Drama*. I do nothing of the kind. I never meant to do it. The case of a respectable ryot or peasant proprietor, happy in his family till the Indigo system compelled him to take advances, and that case alone, is declared to be pointed out in language plain but true. Even this limited statement was not meant to be taken without any exception. All that was intended, all that ought fairly to be deduced, is that in many instances, according to general opinion, and popular report and belief, the effect of the Indigo system on native families has been as ruinous as the Drama represents. Such or similar representations being everywhere current and believed among natives, they ought not, whether such representations are entirely true or only partially so, to be trifled with or concealed by any who desire the *peace and welfare of the people of this land, or their own safe residence and continued prosperity in it*.

Calcutta, June 20th, 1861.

J. LONG.

It is well known that on the appearance of this statement, most moderate men in Calcutta, including not a few of the merchants, and even some members of the Landowner's Association, *wished the prosecution to be discontinued*. But the counsels of the *more violent* prevailed, and on the 19th July, the Supreme Court beheld "its first State trial." So it has been called. The Government and the Civil Service, wildly as they have been assailed, have never attempted to prevent discussion either by criminal or civil proceedings. It was reserved for those who, if they had ever been indicted for libel, would have raised an indignant shout of defiance and derision, to introduce into the Courts of India the process of an indictment for libel: and they did so with every advantage. The law has been so amended at home that a defendant may justify himself by proving the truth of his statements: there is *no such law in this country*. The Landowners' and Commercial Association had it all their own way, and were able to enact one of those scenes which most men believed to have *passed away for ever with the domination of Lord Eldon*.

Prior to the trial, however, several of the principal Natives presented to Mr. Long the following Address:

TO THE REVEREND J. LONG.

SIR,—We, the undersigned, have perused with attention the Statement, which you have lately published, explanatory of your connection with the *Nil Darpan*, a work of fiction, illustrative of the feelings of the people of Bengal, on the subject of Indigo Planting, as carried on in this part of the country.

The part which you have for years together taken in the advancement of Vernacular Literature and in the dissemination of the views and feelings of the Natives on topics of administration and social improvement, *as reflected through the medium of the Vernacular press*, has justly entitled you to the gratitude of all classes of the native community, notwithstanding the difference of religious sentiment between you and them; and we believe the cause of good government has been not a little furthered by your industrious application in bringing those sentiments and feelings to the knowledge of the governing Authorities, and the local European Public.

Constituted, as the British Indian Government is, it is needless for us to dwell on the importance of consulting in matters of legislation and administration, native opinion and native feelings expressed in whatever form and through what medium soever, but we beg leave to state that we fully endorse your opinion that "*peace founded on the contentment of the native population is essential to the welfare of India, and that it is folly to shut our eyes to the warnings the native press may give.*"

We are persuaded, Sir, that the part you have taken in carrying through the press the translation of the *Nil Darpan* has been in perfect accordance with your cherished convictions as to the importance of enlightening the *European* mind here on the contents of the *Vernacular Press*, and we have therefore observed with pain and sorrow the bitter personal controversy in the newspapers to which your laudable efforts in this direction have given rise.

That the *Nil Darpan* is a *genuine expression of Native feeling on the subject of Indigo Planting we can with confidence certify*. We are aware that there are passages in the original put into the mouths of females and others, which may grate on the ears of men of cultivated taste, but such passages only express the thoughts and ideas *current in the order of society painted in the work*. If, however, an occasional indelicacy of expression should be a reason for the suppression of a work of fiction, we fear the most ancient and the best classics of our land, which are so justly valued all the world over, would remain sealed from public view; and, judged by the same standard, there are not a few of the master-pieces of European genius, both ancient and modern, which would suffer from the ordeal. We, however, apprehend that the open censure

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with which your effort has been visited is simply the result of an interested and factious opposition.

We have deemed it due to put you in possession of this expression of our opinion on this important question, in the belief that it may be the means of correcting the wrong impression which we have been sorry to find entertained, viz. that the native community do not consider the *Nil Darpan* as an embodiment of popular feeling, and that they do not appreciate the motives which actuated you to bring its contents to the knowledge of the European public. *Nothing could be more mistaken than this*, and we do sincerely trust and hope that this letter will remove the misapprehension so much to be lamented.

We have the honor to be, Sir,

Your most obedient servants,

(Sd.) RADHAKANT, RAJA BAHADUR,
RAJA KALI KRISHNA BAHADUR,
RAJA NARENDRA KRISHNA,
BABU RAMANATH TAGORE,

And forty-three principal Natives of Calcutta.*

The trial was conducted fairly enough by the counsel for the prosecution. He had no difficulty in proving, what Mr. Long had *never denied*, that he had published the work, and had caused it to be distributed to many persons whom he believed to be deeply interested in the condition of the people of this country. We will not comment on the charge of Sir Mordaunt Wells, except to notice one point. He told the Jury that he would not pronounce whether the work was a libel or not, but *state the law* and leave that question entirely to them; yet he went on *in terms*, and in a *manner rarely witnessed on the Bench, to denounce both Mr. Long and the work*. He spoke of the latter as a "foul and disgusting libel," and used other similar expressions. The chief passage that he dwelt on was dealt with by the Chief Justice in deciding a point of law on the 24th. We quote from the *Hurkaru*, which, in this instance, gives one of the passages quoted by the Judge; but, for the most part, the *public* have *been left in ignorance of the extracts of the work* quoted in the indictment and by the Judge. The particular passage we now refer to mentions a European lady:—

Now the second count found by the jury is that the publication was intentional, that is, it was malicious, written and published for the purpose of lowering them in the estimation of the public and society. (His lordship here read an extract from the publication) Does this not show that the Indigo Planters as a body had exercised an improper influence over the Magistrates, to induce them to give decisions contrary to law? Now what would be supposed if one of the Judges of this Court was said to have acted in that way? It appears to me that this passage is sufficient to support either of the two allegations, and to be capable of such an interpretation as to bring the Planters into disrepute. Mr. Eglinton, I think, has scarcely argued in respect to the first part of this allegation, whether the words in this libel were sufficient to cast an imputation on the whole body of the Planters. And it is not necessary for the Court to say whether the words are sufficient to bring the Planters into discredit. Now the first part of this libel has been referred to by Mr. Eglinton as being obscure. It is set out in page 66 of the pamphlet, and I will read it.

"*Darogah*.—Did not the Magistrate say, he will come here this day?

* A subsequent address was sent in signed by 3,000 natives.

"Jamadar.—No, Sir, he has four days more to come. At S'achigunge on Saturday, they have a Champagne-party and ladies' dance. Mrs. Wood can never dance with any other, but our Saheb; and I saw that, when I was a bearer. Mrs. Wood is very kind: through the influence of one letter, she got me the Jamadari of the Jail."

That is the wife of Mr. Wood, and through her influence the bearer got the Jamadari-ship of the Jail, and the Magistrate was the only person with whom she would dance, and that in consequence of the Champagne-party probably the Magistrate would not come. Now, whether this would lead fairly to the inference that Mrs. Wood would improperly influence the Magistrate, is a question which the Jury have already decided. Mrs. Wood is the character in the play, and is described as the wife of an Indigo Planter. But it is said that this does not mean a Planter's wife, and still he is asked to look into this mirror and see his reflection. It must therefore be taken that it is one of the Indigo Planters, and that it means to impute a general course of conduct of the whole body, and that they did by such means exercise an undue influence over the Magistrate of the districts. In my opinion it is incapable of bearing any other interpretation. Supposing it was published that the Judges of this Court had, when a suit was pending, received such a letter from one of the litigant parties, would it not be said that an improper influence had been exercised over them? Are not Magistrates in the country entitled to the same protection as this Court? It appears to me that it is doing as great an injustice to the Indigo Planters to say that they used an improper influence over the Magistrates through their wives, as it would be to say that the Judges of this court had, while suits were pending, received such a letter from one of the litigant parties. Then the question is whether there is anything in the libel to show that any imputation, independent of that influence over the magistrates, had been cast to bring into contempt the administration of Justice in the mofussil."

The Chief Justice, it will be observed, treats this passage as imputing *undue* influence and *nothing more*; but Sir Mordaunt's imagination coloured it, till he found himself able to represent to the Jury that the wives of the Planters generally were charged with the worst offences, and on this subject he commented in very violent language.

We may leave our readers to judge if it be not true that the natives do misunderstand the friendly and familiar intimacy which exists between the sexes in Christian Society; and if it be just to impute an intention foully to libel our countrywomen, to every one who republishes a native work in which this misunderstanding appears? If Sir Mordaunt's rules are to be adopted, *no native works should be published for the information of the European community, till every thing characteristic of their native origin is carefully eliminated from their pages.*

After an argument by Mr. Long's counsel in arrest of judgment, Mr. Long read the following statement:—

ADDRESS OF THE REVEREND J. LONG TO THE COURT BEFORE SENTENCE WAS PASSED.

MY LORD,—As the result of this trial involves *consequences* extending far beyond the sphere of Calcutta, or even of India, I beg to submit, for your Lordship's consideration, the following points referring mainly to the motives which actuated me in publishing the *Nil Darpan*:—

Tried by the mode of a *criminal* prosecution, in Court, I had no opportunity to make a personal statement to the Jury. I can only state, previous to your passing sentence, what is personal to myself as to the *motives* which actuated me to publish the *Nil Darpan*, on the grounds of my being a Missionary,—an expounder of native feeling as expressed in the native press,—a friend to securing peace for Europeans in the country—and a friend to the social elevation of the natives.

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My Lord, it is now more than twenty years since I came to India. During that period, I have never appeared in a Court of Justice as plaintiff or defendant; my occupations have been of a very different character, and my time has been spent chiefly among natives, engaged in vernacular teaching, in the charge of a body of Native Christians, and in the promotion of Christian vernacular literature. These pursuits, along with my interest in the rural population, called my attention to the vernacular press of India, its uses and defects, as well as its being an exponent of the native mind and feeling. It is in connection with the latter branch of my labours, that I appear here to-day as publisher of the *Nil Darpan*, which I edited with the view of informing Europeans of influence, of its contents, as giving native popular opinion on the Indigo question. The work, (the English translation I mean,) was not got up at the suggestion of natives, or even with their knowledge, and was not circulated among them. It was commenced at the request of others. Many of the remarks of Mr. Peterson, the Council for the prosecution, are strongly in my favour, because if, as he stated, the work was so injurious in its vernacular dress, was I not doing a public service by making such a work known in English? But not in Calcutta, where it might only lead to more bitter controversy, and where men's interests are so concerned, that all representations would have been useless, producing irritation not conviction. I circulated it chiefly among men of influence in England and those connected with the British legislature, which, to the oppressed of whatever colour or country, has always afforded sympathy and redress. I have aimed for the last ten years in my leisure hours to be an exponent of native opinion in its bearing on the spiritual, social, and intellectual welfare of natives of this land; as, for instance, when applied to on the part of the Court of Directors seven years ago, to procure for their Library, copies of all original works in Bengali or as when lately, I sent to Oxford, by request, copies of all Bengali translations from the Sanscrit; or, when I have procured for missionaries, Government, Rajas, &c., vernacular books of all kinds—I should have been a strange person, indeed, had my opinions harmonised with all the chaos of opinion, in those various publications.—Why, at the request of missionaries I have procured anti-Christian works for them, as they wished to know what was written against Christianity.

I am charged with slandering English women in the *Nil Darpan*. Now, waiving the point that it is only planters' wives the native author refers to—I myself believe planters' wives are as chaste as any other females of English society in India, and it was my impression that even putting the worst construction on the passage the author only referred to some exceptional cases, not giving them as specimens of a class of females. The view however that I and others who know oriental life, have taken of this part relating to females is, that it gives the eastern notion of the high indecency of any woman who exposes her face in public, or rules out in company with a gentleman. I have heard such remarks made of my own wife; but I treated them as a specimen of village ignorance. Sir J. Shore in his "Notes on Indian Affairs," states instances of a similar kind, and Eicutenant Burton, who went disguised as a pilgrim to Mecca, mentions the greatest reproach the pilgrims there made against the English was, that they shook hands with their neighbours' wives!—I regret, however, I did not append a note of explanation to this part.

I hold in my hand the first drama ever translated, and that by an illustrious Judge of this Court—Sir W. Jones, in order to give a view of Hindu society, similar service was rendered by Horace H. Wilson, by Dr. Taylor, and various other persons. I beg to say I was far from wishing to vilify planters generally, though from sincere conviction and enquiry opposed to the Indigo system. Thus, when summoned before the Indigo Commission, my evidence there was considered even by the planters' friends as moderate and free from invective. I was elected a member of a sub-committee of the Calcutta Missionary Conference to watch the progress of the Indigo controversy, and it was never objected then that any of my actions in connection with that Conference on this subject, were for the purpose of vilifying. I have never lived near planters, nor have I had any personal altercation with them, that would lead me to a vindictive course.

I ask, when hundreds, yea thousands of Bengali books were submitted by me during the last ten years to the notice of Europeans of influence was the *Nil Darpan* to be the only exception? And wherefore? The ryot was a dumb animal who did not

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know his rulers' language. And at the time of this *Nil Darpan* appearing matters on the indigo controversy were assuming a *threatening* aspect; so it was important that men of influence should know that the wound was not a surface one, but required *deep probing*. Could I, as a *clergyman*, have withheld a work of this sort which indicated some of the causes of the deep-seated aversion of ryots to indigo cultivation? This work, the *Nil Darpan*, was sent to me as hundreds of vernacular books have been, because it is known in many quarters that I take a deep interest in vernacular literature. Here is an illustration; these two vernacular books were sent to me a few days ago from Benares—one Robinson Crusoe in Hindi, the other a Choral Book in Urdu. Almost every week I receive new vernacular books, and I make a point of bringing them to the notice of Europeans on various grounds. Sir F. Halliday honored my "Reports on the Vernacular Press" by publishing them; so did the present Government in the case of publishing my Sketch of Vernacular Literature; so did the Vernacular Literature, Religious Tract, and Christian Tract and Book Societies shew their confidence by publishing various works of mine.

I will now state the grounds why, as a clergyman opposed to war, I published the *Nil Darpan*. My Lord, four years only have elapsed, since Calcutta was waiting in trembling anxiety for the result of the mutiny. Few could look with calmness on the future, while watch and ward were kept all night by the citizens. Many felt then, as I had long felt before, how *unsafe* it was for the English to reside in India in ignorance of and indifference to the *current of native feeling*. The mutiny, in common with the Afghan war, has showed the English in India were generally unacquainted with it; so, a short time previous to the mutiny, the Sonthal war burst out unexpectedly to the public. For a long period were not thuggee and torture prevailing in India, without the English knowing any thing of them? Had I, as a missionary, previous to the mutiny, been able to submit to men of influence a native drama, which would have thrown light on the views of sepoys and native chiefs how valuable might the circulation of such a drama have proved, although it might have censured severely the treatment of natives by Europeans; the indifference of sepoy officers generally towards their men; and the policy of Government to Native States! Such a drama might have helped to save millions of money and torrents of human blood. In Cabul, the authorities, through a false security, founded on ignorance of native opinion, entailed a loss of fifteen millions sterling on the State and the damage of England's prestige. *Has Calcutta forgotten the lessons taught by the mutiny?* I ask, was it very malicious to reveal to the governing race the latent current of native thought and feeling on the subject of indigo, which was convulsing the whole country, and threatening it with anarchy, incendiarism, and assassination? Would I have been justified to withhold contributing my mite at such a crisis to the great object of rousing men of influence by shewing them, from a native source, that the dissatisfaction was deep-seated, and that the wound must be thoroughly probed before healing measures could be efficacious?

My Lord, the *mutiny* has passed away; who knows what is in the future? And as a clergyman and a friend to the peaceable residence of my countrymen in India, I beg to state the following as a motive for my editing such works as the *Nil Darpan*. I, for years, have not been able to shut my eyes to what many able men see looming in the distance. It may be distant, or it may be near; but *Russian and Russian influence are rapidly approaching the frontiers of India*. Her influence, so manifest in Cabul twenty years ago, as shewn in a recent Parliamentary Blue Book, was beginning to be felt in India during the last mutiny. Now she goes on the principle of *divide et impera*; previous to invasion she gains over the native population in various countries to her side. Could I, then, as a clergyman have watched with apathy measures like those in connection with the indigo system which were *furthering this Russian policy*, and which might lead to war and dissensions that would retard for a long period the progress of religion, education and peaceful commerce; I now speak merely my honest convictions on this point; and I ask if this conviction has any foundation in reality as also if there be any ground for another as deeply rooted in my mind;—that *mere armies* can no more secure the English in India than they established the *Austrians in Italy* would it not be my duty as a *clergyman* to help the good cause of peace, by shewing that the great work of peace in India could be best secured by the *contentment of the native population, obtainable only by listening to their*

complaints as made known by the native press and by other channels. I pass over French views in the East, but I say, forewarned is forearmed, and even at the expense of wounding their feelings in order to secure their safety, I wish to see the attention of my countrymen directed to this important subject.

As a missionary, I have a deep interest in seeing the faults of my countrymen corrected; for after a residence of twenty years in India, I must bear this testimony—that, of all the obstacles to the spread of Christianity in India, one of the greatest is the *irreligious conduct of many of my own countrymen*. Thousands of natives have said to me, “We judge of the Christian religion by *what your countrymen do*, not by *what they say*; by the *life*, not by the *doctrine*.” For twenty years I have, as a missionary, been in close and confidential intercourse with natives of all classes. Often and often has my spirit been harrowed and almost crushed by a close view of the condition of the ryot, his wants and his sufferings; shut out from that ability to read, without which the pages of inspiration are locked up to him. I can see in the improvement of his *social condition a means of enabling him to enjoy the light of knowledge*. I have circulated many pamphlets in England, on “The ryot, his teachers, and torturers,” and on the evils resulting from the ryots not having a sound vernacular education. When I have not shrunk from exposing many social evils to which the ryot is subject, I beg to ask, *could I have avoided, in my position exposing his sufferings for resisting the indigo system?*

The Chief Justice here stopped Mr. Long, stating that the Court were willing to hear anything that he had to address to them in his defence. That it was not the length of the matter he was now reading, but its substance they objected to, as irrelevant. The remainder we give as from the MS. prepared by Mr. Long:—

Influential men in England have deeply sympathised with me on these points, and have said “You and others that expose those recesses of human suffering and degradation must let us know the results,” and I have been, my Lord, amongst those masses for years, and hope, as long as I live, and have a brain to think and a pen to write, to advocate the social elevation of the masses as incidental with the progress of mental and moral light. Should I not have been a traitor to the religion I professed, whose great Founder’s motto is, “The poor have the Gospel preached to them,” had I not availed myself of all legitimate opportunities to bring the wants and sufferings of the ryots, and the feelings and views of natives generally to the notice of men who had the power of remedying them? It may be called too *political* a course, as some now unduly restrict that term; but Christianity itself is political in the extended sense; for in the early ages it assailed the slavery of the Roman Empire; in the middle ages it afforded an asylum to the serfs against the oppressions of the feudal chiefs; at the period of the Reformation it brought freedom to the peasant’s home; and in modern days it has abolished slavery in the West Indies: it has protested against American slavery, and is now throwing its mantle of protection round the aboriginal tribes throughout the world. In 1856, I delivered an address in Calcutta to the friends of Missions on “Peasant degradation an obstacle to Gospel propagation.”—No one then objected to that address on the ground of its being political.

My Lord, I am sustained in this course by the convictions of, I trust an enlightened conscience, and confidently relying on the continued sympathy of many friends both among the European and native community, and of all in India and Great Britain, who desire to see India governed, not merely for the advantage of its *fluctuating population from Europe*, but for the benefit of, and with considerate regard for, the feelings and interests of the 180,000,000 natives over whom stretches the *Abges* of the Queen and Parliament, I know I shall have the sympathy of good men the friends of the natives in India and in England, and of all those throughout the world who believe in the indissoluble connection of spiritual and intellectual improvement.

My Lord, a Court of *Law* has decided that the work is a libel, and it is my duty to submit to that verdict and to *act accordingly*. My conscience convicts me, however, of *no moral offence* or of *any offence deserving the language used in your Lordship’s charge to the Jury*. But I dread the effects of this precedent. This work being

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a libel, then the exposure of *any social evil*, of caste, of polygamy, of Kulin Brahminism, of the opium trade, and of any other evils which are supported by *the interests of classes of men*, may be treated as libels too, and thus the great work of moral, social and religious reformation may be checked.

My remarks are ended, my Lord.

Then followed Sir Mordaunt Well's sentence in the following terms:—

The sentence of the Court is, that you pay a fine of Rupees 1,000 to our Sovereign Lady, the Queen, and that you be imprisoned in the Common Jail of Calcutta for the period of one Calender month—and that you be further imprisoned till the fine is paid.

In the course of his charge to the Jury, Sir Mordaunt thought it not unbecoming to comment on the address which we have quoted to Mr. Long, though it was *in no way before the Court*, and in his judgment, he could not refrain from an *attack on the Government, without waiting to hear what it had to allege in explanation.*

The fine imposed on Mr. Long was at once paid by Baboo Kali Prosono Singh, and we hear on good authority that there were many other native gentlemen in Court anxious to be allowed to render that service to the defendant.

The next day Mr. Long was applied to, to ascertain if he would consent to a petition being sent to Government by the native community for a remission of his imprisonment, but he stated that it might embarrass Government and that he should prefer the matter being allowed to rest. And this was his wisest and most proper course. It is well to suffer as a Christian; “for this is thankworthy, if a man for conscience toward God endure grief, suffering wrongfully.” (1 Peter ii. 19.)

The amount of native sympathy this case has evoked is very remarkable. Mr. Long is well known to the native community as having been engaged for many years in various works for their benefit, and as a man animated by a warm desire to ameliorate and to elevate the condition of all classes. It is most shamefully imputed to him, day after day, by one of the papers, that he is a retailer of obscene native publications, whereas the fact is, that he has for several years been an indefatigable member of the Vernacular Literature Committee that was established by Mr. Drinkwater Bethune, Mr. John Colvin, Mr. Hodgson Pratt, Mr. Wylie, Mr. Samuels, Mr. Townsend and others, expressly to purify the native literature, and which has succeeded in putting into circulation many popular works of the soundest character. Mr. Long's “Statement” on this subject ought to silence his assailants. It was he, as he in that statement shows, who applied for and obtained the enactment of the law for the suppression of the sale of those vile works that were once so commonly hawked about the streets of Calcutta.

But the policy of the planters and their organs in this whole controversy, seems to have been to *overwhelm every one who has resisted them with public odium*, and Mr. Long has been a chief object of their malice.

We shall not indulge in many further comments on this case, but there are some other points that call for observation.

Mr. Long himself stands before his brethren as he ever has done—a bold, faithful, benevolent man; most enthusiastically engaged in promoting the welfare of the people of Bengal, according to his own view of their wants; and most sincere, upright, and faithful in all his Missionary labours, and in his character as a Christian minister and a Christian man. There may have been points on which we have differed with him. We may have sometimes doubted the accuracy of his information and the soundness of his judgment. But there have been many other occasions on which we have admired his intuitive perception of great principles, his untiring zeal, his single-hearted labours, and his sterling worth. He is well known beyond the limits of Calcutta, and his name will be well remembered, and will be honoured ever here in this scene of his present punishment, when all the excitement of this Indigo controversy has passed away and is forgotten.

Next, as to the effect of this prosecution; the Planters think they have gained a victory. They may be assured that nothing has occurred, since their system was first commenced in this country, more calculated to destroy their influence. It is useless to look for a *dispassionate* judgment on the question from any in *this city*, who are involved in the vortex of discussion, or from any whose interests are at stake. But the spirit manifested in this prosecution will be noticed out of Calcutta. In other parts of India, in Great Britain and in the United States, Mr. Long's case will be taken as involving much more than the Planter's perhaps intended. It will look like an attempt to suppress all freedom of discussion. It will prove the weakness of the Planters' cause. *It will arouse suspicion that Anglo-Saxon dominance, for which some so zealously contend, would mean nothing less than arbitrary government for the benefit of the European settlers, with a total indifference to the sentiments and feelings of the great native population.* Mr. Peterson in his speech for the prosecution made a most unfortunate allusion. He warned the Missionaries (whom he denounced as mischief-makers) by the example of Mr. Smith of Demerara! He instanced him as one who had incited the slaves to disaffection, and had *suffered the extreme penalty of the law!* He was strangely forgetful of facts! The case of Mr. Smith is a warning indeed, but it is a warning *against colonial persecution.* That man was falsely charged, and was cruelly treated by the Planters of Demerara, and he died in prison; but very soon the walls of the House of Commons resounded with the eloquence of Sir James Mackintosh and Henry Brougham, the spirit of England was aroused, and nothing probably contributed so much to the downfall of West Indian Slavery as that very case.

We await with confidence the verdict of the English people on this prosecution too. We have no fear of the result. The cultivation of Indigo, if it is to be maintained at all, must be maintained by fair prices and fair dealing. We hear as yet but little of better prices in Lower-Bengal, or of any conciliatory policy towards the ryots. The object of the Planters' Deputation to the Governor-General in February, apparently was to obtain a *Proclamation of Martial Law.*

In that they failed. Last year, in like manner instead of raising their rates as the Government did in its Opium cultivation, they called for a Summary Coercion Law; and so severe was its administration in the disturbed districts, that the ryots became still more disinclined to sow Indigo. The object now appears to be to force on the old system still; that is, to carry on the cultivation at rates that are not remunerative to the ryot. It is not concealed that Zemindary influence has been acquired, and will be used, to compel the ryots to go on sowing; and that rents are being enhanced, and other harsh measures resorted to punish those who have committed the offence of refusing to sow. In vain do we look for anything like a measure such as the recent measure of Government which was adopted without hesitation, although it involved a cost to the revenue of an additional £250,000 a year. We refer to the fresh addition to the price for Opium, raising it from four rupees to five; that is from three rupees four annas in 1859, to five rupees in 1861—from six shilling to six pence to ten shillings. Till this course, or some course of the same kind, is adopted by the Indigo Planters, there will be no cessation of agitation and excitement, and the Planters may rest assured that prosecutions for libel will only tend to open the eyes of the public in England to the spirit in which they are acting, and so that determination which the Houses of Parliament have recently shown, not to permit any further coercion of the ryot.

If Mr. Long's case tends to this result, we will rejoice in all the anxieties and aspersions he has had to bear. In the meantime, he will enjoy the happy consolation that he has struggled for the poor,—for those, on whom we are told by the Evangelists, that our blessed Lord “had compassion.”

Since these pages were written, the Missionaries have adopted some Resolutions, which we have great pleasure in publishing.

RESOLUTIONS OF THE CALCUTTA MISSIONARY CONFERENCE.

At a special meeting of the Calcutta Missionary Conference on Tuesday evening, July 30th, with a very full attendance of members, the following Resolutions were adopted and ordered to be published:

“1.—That this Conference has viewed with much concern and regret the proceedings recently instituted against one of their number, the REV. JAMES LONG, for the part he took in publishing an English translation of a Native Drama, the *Nil Darpan*. The members of this Conference have known Mr. Long too well, and have witnessed his zeal in connection with the Native Press for too many years, to doubt the perfect accuracy of the Statement he has put forth, explaining the history of his connection with that production, and the reasons which induced him to assist in making it known, as an exponent of native thought and feeling; and they deeply regret, that after that Statement appeared, he should have been subjected to a prosecution, especially by a form of procedure which has been characterised as the harshest known to English law; and should on that harsh form of trial have been condemned to imprisonment and fine.

“That while they cannot but regret that, in the introduction to that translation, Mr. Long has not more carefully guarded himself against the supposition of having

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adopted as his own all the sentiments and representations of the name author, yet, confidently relying on the purity of his motives, and highly respecting his missionary character, this Conference sincerely sympathize with him in his present untoward position, and cordially assure him of their continued affection and respect.

"2.—That the Conference do not feel called upon to pronounce an opinion on the judgment exhibited in the mode adopted for circulating the *Nil Darpan*; since, on this subject, the party chiefly concerned, the (late) Secretary to the Bengal Government, has already made the most ample acknowledgments; but they entirely concur with Mr. Long in his appreciation of the importance of the Native Press, and of a watchful attention to its productions. If the effect of the recent trial should be to restrict freedom of action in the translation and republication of native works, the Conference have reason to believe that serious detriment may ensue.

"3.—That the members of this Conference lament exceedingly the continuance of any strangeness between the non-official classes and the Government, or between the different classes of the community themselves; and they therefore refrain from the expression of any opinion, which might unwittingly provoke further contention. The MEMORIAL recently presented by members of the Conference to the Lieut-Governor of Bengal, asking for an enquiry into the social condition of the millions of this great province, embodies all that appears to this Conference as of most pressing urgency in connection with its public interests. And they cannot but believe that their motives in giving due attention to these and similar questions, as providential circumstances may suggest, will not be misconstrued by any who take into account the very peculiar circumstances of this country, or have at heart the welfare of its inhabitants.

(Signed) ALEXANDER DUFF, *Chairman.*

JOSEPH MULLENS, *Secretary.*



